COBBETT'S WEEKLY POLITICAL REGISTER.

VOL. V. No. 22.] *London, Saturday, 2d June,* 1804. [Price 10d

THE TRIAL
OF
MR. COBBETT,

For publishing, in the Weekly Political Register of the 5th of November and the 10th of December, 1803, certain Libels upon the Earl of Hardwicke, Lord Lieutenant of Ireland; Lord Redesdale, Lord High Chancellor of Ireland; Mr. Justice Osborne, one of the Judges of the Court of King's Bench in Ireland; and Mr. Marsden, Under Secretary of State in Ireland. Tried in the Court of King's Bench, at Westminster, on Thursday, the 24th of May, 1804, before the Lord Chief Justice Ellenborough and a Special Jury.

COUNSEL FOR THE CROWN. The Attorney-General, the Solicitor-General, Mr. Erskine, Mr. Garrow, Mr. Dallas, and Mr. Abbot.

COUNSEL FOR THE DEFENDANT. Mr. Adam and Mr. Richardson.

THE INFORMATION.

PLEAS BEFORE OUR LORD THE KING AT WESTMINSTER, OF EASTER TERM IN THE FORTY FOURTH YEAR OF THE REIGN OF OUR SOVEREIGN LORD GEORGE THE THIRD, BY THE GRACE OF GOD OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, KING, DEFENDER OF THE FAITH.—AMONGST THE PLEAS OF THE KING.——ROLL.

MIDDLESEX. *Amongst the informations of last Term. No.* } Be it remembered that the Honourable Spencer Perceval Attorney General of our present Sovereign Lord the King, who for our said Lord the King in this behalf prosecuted in his proper person, came here into the Court of our said Lord the King before the King himself at Westminster, on Monday next after the Octave of Saint Hilary last past; and, for our said Lord the King, brought into the Court of our said Lord the King before the King himself then there, a certain information against William Cobbett, late of Westminster in the County of Middlesex, gentleman, which said information followeth in these words, (that is to say) Middlesex (to wit) Be it remembered, that the Honourable Spencer Percival, Attorney General of our present Sovereign Lord the King, who for our said Lord the King in this behalf prosecuteth, in his proper person, cometh here into the Court of our said Lord the King before the King himself at Westminster, on Monday next after the Octave of Saint Hilary in this same term, and for our said Lord the King giveth the Court here to understand and be informed:

1ST. COUNT.——That William Cobbett, late of Westminster in the County of Middlesex, gentleman, being a malicious and ill disposed person, and *unlawfully and maliciously devising and intending to move and incite the liege subjects of our said Lord the King to hatred and dislike of our said Lord the King's administration of the government of this Kingdom, and to insinuate and cause it to be believed that the people of that part of the United Kingdom of Great Britain and Ireland, called Ireland, were oppressed, aggrieved, and injured by our said Lord the King's government of the said part of the said United Kingdom,* and to traduce, defame, and vilify the persons employed by our said Lord the King in the administration of the government of the said part of the said United Kingdom, and especially the Right Honourable Philip, Earl of Hardwicke, our said Lord the King's Lieutenant General, and Governor General of the said part of the said United Kingdom, and the Right Honourable John, Lord Redesdale our said Lord the King's Lord Chancellor and Keeper of the Great Seal, and one of his most Honourable Privy Council, of and for the said part of the said United Kingdom, on the fifth day of November in the forty-fourth year of the reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, at Westminster in the County of Middlesex, unlawfully and maliciously did print and publish, and cause and procure to be printed and published, a certain scandalous and malicious libel in the form of a letter, intitled, Affairs of Ireland, containing therein divers scandalous and malicious matters and things of and concerning the said part of the said United Kingdom, and the people thereof, and our said Lord the King's government thereof; and also, of and concerning the said Philip, Earl of Hardwicke, being such Lieutenant and Governor as

aforesaid, and the said John, Lord Redesdale so being such Chancellor and Privy Councellor as aforesaid, and also of and concerning Alexander Marsden, Esquire, then and there being one of the under Secretaries in the Office of the Chief Secretary of the said Philip, Earl of Hardwicke, so being such Lieutenant and Governor as aforesaid, (that is to say) in one part thereof, according to the tenor and effect following, (that is to say)

"SIR,—'*Equo ne credite Teucri*,' was "the advice which, in a dangerous mo- "ment, Laocoon gave to the Trojans. It "will be remembered that the *equus*, "against which that sagacious adviser cau- "tioned his countrymen, was a wooden "one. His countrymen did not regard "Laocoon. They received the wooden re- "presentative of wisdom. They approach- "ed it as if it possessed authority and "power. Its wooden head towered above "their houses. But, though the machine "itself was innoxious wood, the credulous "Trojans found its hollow head and exalted "sides were nothing less than receptacles "for greedy peculators and blood-thirsty "assassins. The ingenious author of the "story did not mean to confine the lesson, "which it inculcates, to the tale of Troy "alone. He meant to take advantage of "that easy metaphorical expression, which, "by the common assent of mankind, has "moulded itself into most languages, and "by which a certain species of head (which "the moderns, by various moral experi- "ments, have ascertained to be a non-con- "ductor of ideas) has been denominated a "wooden head. He meant to caution fu- "ture nations not to put trust or confidence "in the apparent innocence of any such "wooden instrument; and not to suffer "themselves to be led to exalt it into con- "sequence, or to pay it any respect. He "meant to tell them that any people, who "submitted to be governed by a wooden "head, would not find their security in its "supposed innoxiousness, as its hollowness "would soon be occupied by instruments "of mischief. When I found, Sir, this "portion of the kingdom (meaning the "said part of the said United Kingdom) "overwhelmed by such consequences to our "property as the rapacity of Mr. Marsden (meaning the said Alexander Marsden) "and his friends, and such consequences to "our lives as the pikes of Mr. Emmett and "his friends have lately produced: when I "could trace all these evils as the inevitable "issue from the head and body of such a "government as that of Lord Hardwicke, (meaning the said Philip, Earl of Hardwicke) and I am told of his innoxiousness "and his firmness, I still reply the story "of the wooden horse, and I shall still, "notwithstanding the fate of Laocoon, "raise my voice to my countrymen and "cry, *Equo ne credite Teucri*. Not, Sir, that "I would be understood literally. I do "not mean to assert that the head of my "Lord Hardwicke (meaning the said Philip, Earl of Hardwicke) is absolutely built "of timber. My application, like that of "the original author of the tale, is only "metaphorical. Yet, at the same time, I "cannot avoid suspecting, that if the head "of his Excellency (meaning the said Philip, Earl of Hardwicke), were submitted "to the analysis of any such investigator of "nature as Lavoisier, it would be found to "contain a superabundant portion of parti- "cles of a very ligneous tendency. This, "Sir, is the Lord Hardwicke of Doctor "Addington, against whose government "'not a murmur of complaint has been "'heard,'—while our property has been "subject to the plunder of his clerks, and "our persons have been exposed to pikes of "the rebels. Still, however, the innocence "of Lord Hardwicke (meaning the said Philip, Earl of Hardwicke), as to any in- "tention of mischief, is held forth. But, I "reply in the words of Mr. Burke: 'they "'who truly mean well must be fearful of "'acting ill. Delusive good intention is "'no excuse for presumption.' And I may "add, in my own words, that the govern- "ment of a harmless man is not, therefore, "a harmless government." And in another part thereof, according to the tenor and effect following (that is to say): "Inquiry "and research are the duty and resource of "the ignorant, and therefore I did inquire. "The result of no small attention bestowed "in this pursuit was, that I discovered of "our Viceroy (meaning the said Philip, "Earl of Hardwicke) that he was in rank "an earl; in manners a gentleman; in "morals a good father and a kind husband; "and that he had a good library in St. "James's Square. Here I should have "been for ever stopped, if I had not, by "accident, met with one Mr. Lindsay, a "Scotch parson, since become (and I am "sure it must be by Divine Providence, for "it would be impossible to account for it "by secondary causes) Bishop of Killaloo "in Ireland.——From this Mr. Lindsay, "I further learned, that my Lord Hard- "wicke (meaning the said Philip, Earl of "Hardwicke) was celebrated for understanding the modern method of fattening "sheep as well as any man in Cambridge-

" shire" And in another part thereof, according to the tenor and effect following (that is to say): " While I have been writ-
" ing, Sir, a map of the West Indies hap-
" pened to hang before me. My eyes wan-
" dered, I know not why, upon it, and fixed
" upon one of those little islands, which
" have been lately, by the British troops,
" redeemed from the capitulation of Lord
" Cornwallis at Amiens. Give me leave to
" suppose, that, in the course of a few years,
" one of those little islands should become
" highly cultivated, and that a considerable
" portion of British property became vested
" in its land, and in its trade. Suppose,
" that, by some unfortunate combination of
" events, this little island should be deeply
" shaken by insurrection within, and should
" be loudly menaced by invasion from with-
" out. Suppose a powerful fleet of the
" enemies of the British name lay to wind-
" ward, ready filled with troops for landing,
" while a desperate band of ruffians were
" secretly arming in its bosom, ready to aid
" that landing, of a foreign enemy. Sup-
" pose, in this distress, a committee of West
" India proprietors, whose money had been
" vested in this little island, should apply
" to the Doctor Addington for assistance:
" and suppose he were to rise up and desire
" them to quit their apprehensions, for that
" he had entrusted the care of their island
" to a very eminent sheep feeder from Cam-
" bridgeshire, who was to be assisted in all
" his counsels by a very able and strong-
" built chancery pleader from Lincoln's Inn.
" Give me leave to ask you, Sir, who know
" the city much better than I can pretend
" to do, what would a sugar committee,
" issuing from one of their coffee-houses,
" say to such an answer from a British mi-
" nister? Why, Sir, the walls of St. Ste-
" phen's, and the chambers in Downing
" Street, would be made to ring with their
" vociferous reproaches. And yet, Sir, to
" this situation is that portion of the United
" Kingdom (meaning the said part of the said United Kingdom) reduced; on the
" strength and vigour of which, at this mo-
" ment, not only its own safety, but, as I
" have in my former letter, stated, the safe-
" ty of the British empire, and, consequent-
" ly, I may assume, the safety of Europe
" does entirely depend. Against the truth
" of the description I have given of its
" rulers, I may challenge the most daring
" supporter of the present government to
" produce me one single act in the lives of
" either of those truly great characters of
" the Doctor (meaning the said Philip, Earl of Hardwicke, and John, Lord Redesdale), which can entitle them to claim
" one particle of trust or confidence from
" the public, beyond the bounds and limits,
" within which I have encircled their ex-
" ploits. On the chancery pleader, (meaning the said John, Lord Redesdale) per-
" haps I may have laid too great a stress;
" he is not of the first consequence, though,
" in a future letter, I may, perhaps, point
" out to you the mischiefs which the inter-
" meddling of such a man in matters out of
" the course of his practice may occasion.
" But, with respect to Lord Hardwicke, (meaning the said Philip, Earl of Hard-
wicke) it may be replied, that my chal-
" lenge is unfair, because it is impossible to
" justify his having been appointed to the
" government of Ireland by any instances
" of former political ability, as the accept-
" ance of his present office was his first po-
" litical essay. What! Is he one of the
" tribe of the Hobarts, Westmorelands, and
" Camdens? Is he one of that tribe, who
" have been sent over to us to be trained
" up here into politicians, as they train the
" surgeon's apprentices in the hospitals, by
" setting them at first to bleed the pauper
" patients? Is this a time for a continua-
" tion of such wanton experiments? The gift of Lord Hardwicke to us, (meaning thereby, the appointment of the said Philip, Earl of Hardwicke, to the said place and office of Lieutenant General and Governor General of the said part of the said United Kingdom), " at such a period, can-
" not be compared to any thing else than
" the prank of Falstaff upon Prince Hal at
" the battle of Shrewsbury, when the knight
" handed over his pistol to the Prince. For,
" indeed, Sir, by the present to us of Lord
" Hardwicke (meaning the aforesaid appointment of the said Philip, Earl of Hardwicke), that sentence has been prov-
" ed to us in a bloody truth, which Falstaff
" said in a good humoured jest, ' here's
" ' what will sack a city.'"—To the great scandal and disgrace of the said Philip, Earl of Hardwicke, and John, Lord Redesdale. In contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity.

2D COUNT.—And the said Attorney-General of our said Lord the King, for our said Lord the King, further giveth the Court here to understand and be informed, that the said William Cobbett, so being such person as aforesaid, and again unlawfully and maliciously devising and intending as aforesaid, and also further unlawfully and

maliciously devising and intending to traduce, defame, and vilify the Honourable Charles Osborne, then and there being one of the Justices of our said Lord the King, assigned to hold the pleas in the Court of our said Lord the King, before the King himself in Ireland aforesaid; afterwards, to wit, on the tenth day of December, in the forty-fourth year of the reign of our said Sovereign Lord the King at Westminster, in the County of Middlesex, unlawfully and maliciously did print and publish, and cause and procure to be printed and published, a certain other scandalous and malicious libel, in the form of a letter, intituled, Affairs of Ireland, in some parts of which said last-mentioned libel were and are contained divers scandalous, malicious, and seditious matters and things, of and concerning the said part of the said United Kingdom, and the persons employed by our said Lord the King, in the administration of the government of the said part of the said United Kingdom, and of and concerning the said Charles Osborne, so being such Justice as aforesaid, and the said Alexander Marsden, so being such under Secretary as aforesaid, (that is to say) in one part thereof, according to the tenor and effect following, (that is to say): "What I have now to touch "upon must be done with a delicate hand. "I will confine myself to a bare narrative "of facts, and will not presume to give any "opinion. As soon as the government had "fully recovered its recollection, a commission directed to five of the judges, "issued for the trial of those rebels who "had been arrested for treason committed "in the county and city of Dublin. This "commission having issued, while the judges "were on circuit, was filled up (and very properly filled up) with the names of the five "senior of those judges who were then on "the circuits, which were likely to terminate at the earliest period of time. Such "was the reason given by government for "the particular selection of the judges "named in that commission, and it certainly was a good reason. In some time "after this commission had been sitting, it "became necessary to issue a new commission for the trial of rebels in the shires of "Antrim and of Down. In the appointment of this second commission, the principle which directed the selection in the "first was not adhered to. On the contrary, the junior judge of the twelve (meaning the said Charles Osborne), was "very anxiously called out, and placed in "this new commission, over the heads of a "number of his seniors. This, however, "could not, and ought not to have given "offence to any of those senior judges, because, whatever opinion of them the government (meaning the persons employed by our said Lord the King in the administration of the government of the said part of the said United Kingdom) may "have manifested in such an appointment, "the opinion of the present government (meaning the persons employed by our said Lord the King in the administration of the government of the said part of the said United Kingdom) upon such a subject (known to be influenced by motives "very different from general justice) is too "contemptible to have the slightest effect "upon any of those learned judges in the "public mind. The circumstance, therefore, was not at first attended to. There "is published in this city a newspaper called the Dublin Journal. It is, in general, "conducted with good sense, loyalty, and a "regard to truth; but, in particular deviations, it is known to be under the control and immediate direction of government (meaning the persons employed by our said Lord the King in the administration of the government of the said part of the said United Kingdom). In that "paper of the 10th of October last, a publication appeared, which purported to be "a charge given by the junior judge above "alluded to, to the grand jury of the county "of Antrim. In this place I beg now "to declare, that I am far from attempting "to assert, that the learned judge did pronounce any such charge; and when I "speak of his charge, I request you will "understand I mean only the newspaper "publication above-mentioned. In the "newspaper publication, the learned judge "is made to tell the grand jury, that "'through the well-timed efforts and strenuous exertions of a wise and energetic "'government, &c. the progress of such "'crimes as lately disgraced this country "'had been effectually checked.' If the "learned justice did make any such assertion, (which I am far from supposing) "with what amazement the grand jury "must have received such a broadside, "poured upon the truth of the fact, I cannot, as I was not present, know; but I "can very well imagine what the feelings "of twenty-three well informed gentlemen "must have been. Their respect, and a "thorough knowledge of their duty would "necessarily keep them silent."——And in another part thereof, according to the tenor and effect following, (that is to say): "But, "Sir, suggestion does not stop here. Men

" ask, how could (if the learned justice did " make any such assertion) the learned jus- " tice be led to give credit to a position " which contradicts the evidence of the " senses of every man in the kingdom, who " was present at, or knew any thing of the " transaction? How could a learned judge " be supposed to assert that which no man " in the kingdom would assert, unless he " had some reasons of the same nature as " those which prevailed on Mr. Marsden's " attorney-general, on the trials for high " treason, to assert something of the same " kind? Men, Sir, couple the extraordinary " selection of the learned justice (meaning the said Charles Osborne) from amongst " his fellows, with the extraordinary asser- " tion attributed to him in a government " newspaper, and they ask, if he made that " assertion, where did he get his informa- " tion? Was he ever in Mr. Marsden's (meaning the said Alexander Marsden's) " audience-room since the night of the " 23d of July? What passed there? What " were the pre-disposing causes which in- " duced government to select particularly " that learned justice? (meaning the said Charles Osborne). Could government " have foreseen (and if so, by what faculty) " that the learned justice would have given " an instruction to the grand jury, so very " useful and so very grateful to the govern- " ment? What night telescope could have " been applied to the eye of Mr. Marsden (meaning the said Alexander Marsden), " which, through the dark womb of things " unborn, could have enabled him to per- " ceive through this little future star of " praise, springing from the creative lips of " the learned justice? Here, Sir, decorum " towards you and towards the public, in- " duces me to be silent as to other, and, " perhaps, stronger observations. But I " may, I believe, add what men also say, " that if it were possible the ermined robe " of the most awful attribute of his Majesty " should have been wrapped round the acts " of Mr Marsden (meaning the said Alex- ander Marsden), in order to screen them " from public disgrace, we might then look " for another, but not less fatal end to our " liberties and to our constitution, than that " which rebellion or invasion could produce. " And in truth, they say, that except as to " momentary effects, rebellion and invasion " might be viewed with indifference, if it " can be supposed, that the stained hands of " a petty clerk had been washed in the very " fountain of justice."——And in other parts of which said last-mentioned libel, were and are contained divers scandalous and malicious matters and things, of and concerning the said John, Lord Redesdale, and the conduct of the said John, Lord Redesdale, as such Chancellor and Privy Counsellor, as aforesaid, by way of antithesis and contrast between the conduct, which in and by the said last-mentioned libel it is insinuated, that the said John, Lord Redesdale, as such Chancellor and Privy Counsellor as aforesaid had adopted and pursued, and the conduct which in and by the said last-mentioned libel it is asserted, that the late Right Honourable Lloyd, Lord Kenyon, now deceased, would have adopted and pursued, (that is to say) in one part thereof, according to the tenor and effect following, (that is to say): " Instead of calling him (meaning the said late Lloyd, Lord Kenyon) to " the high station which he so ably filled, " had it pleased his Majesty to bless the " western neighbours of Cambricus (meaning the people of the said part of the said United Kingdom of Great-Britain and Ireland, called Ireland) (who certainly owe " the honest and warm-hearted principality (meaning the principality of Wales) no ill will) with Lord Kenyon (meaning the said " late Lloyd, Lord Kenyon) for their Chan- " cellor; I can very well conceive what Lord " Kenyon (meaning the said late Lloyd, Lord Kenyon), in such a situation, would " have done, and also, what he would not " have done. From a rare modesty of na- " ture, or from a rare precision of self- " knowledge, Lord Kenyon would have act- " ed with reserve and circumspection, on his " arrival in a country, with the moral qua- " lities of the inhabitants of which, and " with their persons, manners, and indivi- " dual characters and connexions, he must " have been utterly unacquainted. In such " a country, torn with domestic sedition and " treason, threatened with foreign invasion, " and acting, since the union, under an " untried constitution, if Doctor Addington " had required that Lord Kenyon should " direct a Cambridgeshire Earl (meaning the said Philip, Earl of Hardwicke) ' in " ' all his councils,' Lord Kenyon would as " soon, at the desire of Lord St. Vincent, " have undertaken to pilot a line of battle " ship through the Needles. Particularly, " the integrity of Lord Kenyon would have " shrunk from such an undertaking, if a " condition had been added to it, that no " one nobleman or gentleman who posses- " sed any rank, estate, or connexion in the " country, should upon any account be con- " sulted (meaning and insinuating thereby, and intending to cause it to be believed, that he the said John, Lord Redesdale, as

such Chancellor and Privy Counsellor as aforesaid, had undertaken to direct the said Philip, Earl of Hardwicke, in all his councils as such Lieutenant and Governor as aforesaid, in the government of the said part of the said United Kingdom, with a condition that no one nobleman or gentleman who possessed any rank, estate, or connexion in the said part of the said United Kingdom, should be consulted as to the government thereof). His pride " would have spurned at the undertaking, " if he were told, that to the Cambridgeshire " Earl (meaning the said Philip, Earl of Hardwicke) and himself, in the cares of " government, a clerk in the secretary's of- " fice, and a couple of lawyers without poli " tical habits, political information, or ho- " nourable connexion, were to be joined as " assessors, and to be the only assessors. " And Lord Kenyon's pride and integrity " would have both joined in preventing " him from being, himself, the instrument " of introducing such men into a cabinet of " government (meaning and insinuating thereby, and intending to cause it to be believed, that the said John, Lord Redesdale, as such Chancellor and Privy Counsellor as aforesaid, had been the instrument of introducing a clerk into the secretary's office, and a couple of lawyers, without political habits, political information, or honourable connexion, into the cabinet of the government of the said part of the said United Kingdom). " If any one " man could be found, of whom a young " but unhappy victim of the justly offended " laws of his country, had, in the moment " of his conviction and sentence, uttered " the following apostrophe—' That viper! " ' whom my father nourished! He it was " ' from whose lips I first imbibed those " ' principles and doctrines, which now, by " ' their effects, drag me to my grave; and " ' he it is who is now brought forward as " ' my prosecutor, and who, by an unheard " ' of exercise of the prerogative, has wan- " ' tonly lashed, with a speech to evidence, " ' the dying son of his former friend, when " ' that dying son had produced no evi- " ' dence, had made no defence, but, on the " ' contrary, had acknowledged the charge, " ' and had submitted to his fate.' Lord " Kenyon would have turned with horror " from such a scene, in which, although " guilt was in one part to be punished, yet " in the whole drama, justice was confound- " ed, humanity outraged, and loyalty insult- " ed. Lord Kenyon, therefore, (Cam- " bridge must well know) it never could " have been believed, that he himself would " lead such a character forward, introduce " him to the favour of a deceived Sovereign, " clothe him in the robes, and load him " with the emoluments of office. Lord " Kenyon must have known, that a noble " Duke for having toasted at a drunken " club, in a common tavern, to a noisy rab- " ble, ' the sovereignty of the people,' was " struck, by his Majesty's command, out of " the Privy Council, and deprived of all his " offices both civil and military. If, there- " fore, any man were to be found, who, not " at a drunken club, or to a brawling rabble, " but in a grave and high assembly; not in " the character of an inebriated toast-master, " but in that of a sober constitutional law- " yer, had insisted on the sovereignty of the " people as a first principle of the English " law, and had declared, that by law an ap- " peal lay from the decision of the tellers of " the houses of Parliament, to that of the " ' tellers of the nation;' and, that if a par- " ticular law were disagreeable to the peo- " ple, however it might have been enacted, " with all royal and parliamentary solemnity, " nevertheless, it was not binding, and the " people, by the general law, were exempted " from obedience to such a particular law, " because the people were the supreme and " ultimate judges of what was for their own " benefit." Lord Kenyon (meaning the said Lloyd, Lord Kenyon), " if he had been " Chancellor in any kingdom in Europe, " would have shrunk from recommending " any such man to the favour of a mo- " narch, while there yet remained a shadow " of monarchy visible in the world" (meaning and insinuating thereby, and intending to cause it to be believed, that the said John, Lord Redesdale, as such Chancellor and Privy Counsellor as aforesaid, had recommended a base and disloyal man to the favour of our said Lord the King).——And in another part thereof, according to the tenor and effect following, (that is to say): " It was said of Lord Kenyon that he loved " money. If so, he loved his own money " only, and not the money of any other man. " Lord Kenyon, therefore, as Chancellor, " never would have made any rule or order, " by the effects of which the secretary of a " Master of the Rolls would be deprived of " all fees, for the purpose of throwing all " those fees into the hands of the secretary " to the Chancellor, the better to enable that " secretary to discharge the pension of some " unknown annuitant on his official profits," (meaning and insinuating thereby, and intending to cause to be believed, that the said John, Lord Redesdale, as such Chancellor as aforesaid, had wickedly and corruptly made

an order, by which the secretary of the Master of the Rolls of the said part of the said United Kingdom would be deprived of his fees, for the purpose of throwing the same fees into the hands of the secretary of himself the said Lord Redesdale, to enable his said secretary to discharge the pension of some person receiving an annuity out of the official profits of his said secretary).——And in another part thereof, according to the tenor and effect following, (that is to say): "The professional pride and the inborn ho- "nour of Lord Kenyon (meaning the late Lloyd, Lord Kenyon), would never have "suffered him to enter into a combination "to sap, by underhand means, the indepen- "dence of his brethren the judges, (meaning and insinuating thereby, and intending to cause to be believed, that the said John, Lord Redesdale, as such Chancellor as aforesaid, had entered into a combination to sap, by underhand means, the independence of the judges of the said part of the said United Kingdom). "He never would have suffer- "ed the great seal in his hands to be used "for the purpose of garbling the bench, in "order to gratify those who might be con- "tented publicly to eulogize that govern- "ment, which privately they must have de- "spised," (meaning and insinuating thereby, and intending to cause it to be believed, that the said John, Lord Redesdale, as such Chancellor as aforesaid, had suffered the great seal of the said part of the said United Kingdom to be used for the purpose of garbling the bench of judges of the said part of the said United Kingdom, in order to gratify those who would publicly eulogize the government of the said part of the said United Kingdom, which they must have privately despised). "Nor would he have "employed any of his leisure in searching "into offices for practices, by which he "might harass the domestic arrangements "of others, whose pride and whose integri- "ty would not bend to his views, and thus "double the vigour of his attack by prac- "tising on the hopes of some, and endea- "vouring to work upon the fears of others," (meaning and insinuating thereby, and intending to cause it to be believed, that the said John, Lord Redesdale, had searched into offices for practices, by which he might harass the domestic arrangements of other persons, whose pride and integrity would not bend to his views), to the great scandal and disgrace of the said Philip, Earl of Hardwicke, John, Lord Redesdale, and Charles Osborne. In contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity.

3D. COUNT.——And the said Attorney General of our said Lord the King, for our said Lord the King, further giveth the Court here to understand and be informed, that the said William Cobbett, so being such person as aforesaid, and again unlawfully, maliciously, and seditiously devising and intending to move and incite the liege subjects of our said Lord the King to hatred and dislike of our said Lord the King's administration of the government of the said part of the said United Kingdom, and also, unlawfully and maliciously devising and intending to traduce, defame, vilify, and bring into public hatred and contempt the said Philip Earl of Hardwicke, so being our said Lord the King's Lieutenant General and Governor General of the said part of the said United Kingdom, afterwards to wit, on the fifth day of November, in the forty-fourth year of the reign of our said Lord the King, at Westminster in the County of Middlesex, unlawfully and maliciously did print and publish, and cause and procure to be printed and published, a certain other scandalous and malicious libel, containing therein divers scandalous and malicious matters, and things of and concerning the said part of the said United Kingdom and the people thereof, and also of and concerning the said Philip Earl of Hardwicke, so being such Lieutenant and Governor as aforesaid, that is to say, in one part thereof, according to the tenor and effect following: (that is to say) Sir, "Equo ne credite Teucri, was the "advice which, in a dangerous moment "Laocoon gave to the Trojans. It will be "remembered, that the equus against which "that sagacious adviser cautioned his coun- "trymen was a wooden one. His country- "men did not regard Laocoon. They re- "ceived the wooden representative of wis- "dom. They approached it as if it pos- "sessed authority and power. Its wooden "head towered above their houses; but, "though the machine itself was innoxious "wood, the credulous Trojans found its "hollow head and exalted sides were no- "thing less than the receptacles for greedy "peculators and blood thirsty assassins. The "ingenious author of the story did not "mean to confine the lesson which it in- "culcates to the tale of Troy alone. He "meant to take advantage of that easy me- "taphorical expression, which by the com- "mon assent of mankind has moulded it- "self into most languages, and by which a "certain species of head (which the mo- "derns, by various moral experiments, have

" ascertained to be a nonconductor of ideas) " has been denominated a wooden head. He " meant to caution future nations not to " put trust or confidence in the apparent " innocence of any such wooden instrument, " and not to suffer themselves to be led to " exalt it into consequence, or to pay to it " any respect He meant to tell them, that " any people who submitted to be governed " by a wooden head, would not find their " security in its supposed innoxiousness, as " its hollowness would soon be occupied by " instruments of mischief. When I found, " Sir, this portion of the kingdom (meaning the said part of the said United Kingdom) " overwhelmed by such consequences to our " property as the rapacity of Mr. Marsden " and his friends, and such consequences to " our lives as the pikes of Mr. Emmett and " his friends have lately produced; when I " could trace all these evils as the inevitable " issue from the head and body of such a " government as that of Lord Hardwicke (meaning the said Philip, Earl of Hardwicke), " and I am told of his innoxious- " ness and his firmness, I still reply the story " of the wooden horse, and I shall still, notwithstanding the fate of Laocoon, raise " my voice to my countrymen and cry, " *Equo ne credite Teucri.* Not, Sir, that I " would be understood literally, I do not " mean to assert, that the head of my Lord " Hardwicke (meaning the said Philip, Earl " of Hardwicke) is absolutely built of timber. My application, like that of the original author of the tale, is only metaphorical; yet, at the same time, I cannot " avoid suspecting, that if the head of his " Excellency (meaning the said Philip, Earl " of Hardwicke) were submitted to the " analysis of any such investigator of nature " as Lavoisier, it would be found to contain " a superabundant portion of particles of a " very ligneous tendency. This, Sir, is the " Lord Hardwicke of Doctor Addington, " ' against whose government not a murmur " ' of complaint has been heard,' while our " property has been subject to the plunder " of his clerks, and our persons have been " exposed to the pikes of the rebels; still, " however, the innocence of Lord Hardwicke (meaning the said Philip, Earl of " Hardwicke) as to any intention of mischief is held forth. But I reply in the " words of Mr. Burke, " they who truly " mean well must be fearful of acting ill. " Delusive good intention is no excuse for " presumption;" and I may add in my own " words, that the government of a harmless " man is not therefore a harmless govern- " ment." To the great scandal and disgrace of the said Philip, Earl of Hardwicke, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity.

4TH. COUNT.—And the said Attorney General of our said Lord the King, for our said Lord the King, giveth the Court here further to understand and be informed, that the said William Cobbett, so being such person as aforesaid, and again unlawfully, maliciously, and seditiously, devising and intending as last aforesaid, and also further unlawfully, maliciously, and seditiously devising and attending to traduce, defame, and vilify, the said John, Lord Redesdale, so being such Chancellor and Privy Councellor as aforesaid, afterwards, to wit, on the same day and year last aforesaid, at Westminster aforesaid, in the County of Middlesex, unlawfully and maliciously did print and publish, and cause and procure to be printed and published, a certain other scandalous and malicious libel, containing therein divers scandalous and malicious matters and things of and concerning the said part of the said United Kingdom and the people thereof, and also of and concerning the said Philip, Earl of Hardwicke, so being such Lieutenant and Governor as aforesaid, and the said John, Lord Redesdale, so being such Chancellor and Privy Councellor as aforesaid (that is to say) in one part thereof, according to the tenor and effect following (that is to say): " While I have been writing, Sir, a map of " the West Indies happened to hang before " me. My eye wandered, I know not why, " upon it, and fixed upon one of those little " islands which have been lately, by the " British troops, redeemed from the capi- " tulation of Lord Cornwallis at Amiens. " Give me leave to suppose, that in the " course of a few years, one of those little " islands should become highly cultivated, " and that a considerable portion of British " property became vested in its land and in " its trade; suppose, that by some unfor- " tunate combination of events, this little " island should be deeply shaken by insur- " rection within, and should be loudly me- " naced by invasion from without; sup- " pose, a powerful fleet of the enemies of " the British name lay to windward, ready " filled with troops for landing, while a " desperate band of ruffians were secretly " arming in its bosom ready to aid that " landing, of a foreign enemy; suppose, in " this distress, a committee of the West- " India proprietors, whose money had been " vested in this little island, should apply to

" the Doctor Addington for assistance; and " suppose he were to rise up and desire " them to quit their apprehensions, for that " he had entrusted the care of their island " to a very eminent sheep-feeder from Cambridgeshire, who was to be assisted in all " his counsels by a very able and strong-" built chancery pleader from Lincolns Inn. " Give me leave to ask you, Sir, who know " the city much better than I can pretend " to do, what would a sugar committee, " issuing from one of their Coffee-houses, " say to such an answer from a British minister? Why, Sir, the walls of St. Stephen's and the chambers in Downing " Street would be made to ring with their " vociferous reproaches; and yet, Sir, to " this situation is that portion of the United " Kingdom (meaning the said part of the said United Kingdom) reduced, on the " strength and vigour of which, at this moment, not only its own safety, but, as I " have in my former letter stated, the safety " of the British Empire, and consequently, " I may assume, the safety of Europe does " entirely depend. Against the truth of the " description I have given of its rulers. I " may challenge the most daring supporter " of the present government to produce me " one single act, in the lives of either of " those truly great characters of the Doctor " (meaning the said Philip, Earl of Hardwicke, and John, Lord Redesdale) which " can entitle them to claim one particle of " trust or confidence from the public, beyond the bounds and limits within which " I have encircled their exploits. On the " Chancery Pleader (meaning the said John, Lord Redesdale) perhaps I may have laid " too great a stress; he is not of the first " consequence, though, in a future letter, I " may perhaps point out to you the mischiefs " which the intermeddling of such a man, in " matters out of the course of his practice " may occasion; but, with respect to Lord " Hardwicke, (meaning the said Philip, Earl of Hardwicke) it may be replied, that my " challenge is unfair, because it is impossible " to justify his having been appointed to the " government of Ireland by any instances of " former political ability, as the acceptance " of his present office was his first political " essay. What? Is he one of the tribe of " the Hobarts, Westmorlands, and Camdens? Is he one of that tribe who have " been sent over to us to be trained up here " into politicians, as they train the surgeons " apprentices in the hospitals, by setting " them at first to bleed the pauper patients? " Is this a time for a continuation of such " wanton experiment? The gift of Lord " Hardwicke to us (meaning thereby the appointment of the said Philip, Earl of Hardwicke, to the said place and office of Lieutenant General and Governor General of the said part of the said United Kingdom) at such a period cannot be compared to any thing else than the prank of " Falstaff, upon Prince Hal, at the battle of " Shrewsbury, when the knight handed " over his pistol to the prince. For, indeed, " Sir, by the present to us of Lord Hardwicke (meaning the aforesaid appointment of the said Philip, Earl of Hardwicke) that sentence has been proved to " us in a bloody truth, which Falstaff said, " in a good humoured jest, ' here's what " will sack a city.' "—To the great scandal and disgrace of the said Philip, Earl of Hardwicke, and John, Lord Redesdale; in contempt of our said Lord the King and his laws; to the evil example of all others in the like case offending; and against the peace of our said Lord the King, his crown, and dignity.

5TH. COUNT.——And the said Attorney General of our said Lord the King, for our said Lord the King, further giveth the Court here to understand and be informed, that the said William Cobbett, so being such person as aforesaid, and unlawfully and maliciously devising and intending to traduce, defame, and vilify, and to bring into public hatred and contempt, the said John, Lord Redesdale, so being such Chancellor and Privy Councellor as aforesaid, afterwards to wit, on the tenth day of December, in the forty-fourth year of the reign of our said Lord the King, at Westminster in the County of Middlesex, unlawfully and maliciously did print and publish, and cause and procure to be printed and published, a certain other scandalous and malicious libel, containing therein divers scandalous and malicious matters and things of and concerning the said John, Lord Redesdale, and the conduct of the said John, Lord Redesdale, as such Chancellor and Privy Councellor as aforesaid, by way of antithesis and contrast between the conduct which in and by the said last mentioned libel it is insinuated, that the said John, Lord Redesdale, as such Chancellor and Privy Councellor as aforesaid, has adopted and pursued, and the conduct which in and by the said last mentioned libel it is asserted that the Right Honourable Lloyd, Lord Kenyon, now deceased, would have adopted and pursued (that is to say) in one part thereof, according to the tenor and effect following, that is to say: " Instead of calling " him (meaning the said late Lloyd, Lord Kenyon) " to the high station which he so

" ably filled, had it pleased his Majesty to " bless the western neighbours of Cambricus (meaning the people of the said part of the said United Kingdom) who certainly " owe the honest and warm hearted prin- " cipality no ill-will with Lord Kenyon (meaning the said late Lloyd, Lord Kenyon) " for their Chancellor, I can very well con- " ceive what Lord Kenyon (meaning the said late Lloyd, Lord Kenyon) in such a " situation would have done, and also what " he would not have done. From a rare " modesty of nature, or from a rare preci- " sion of self-knowledge, Lord Kenyon " would have acted with reserve and cir- " cumspection, on his arrival in a country, " with the moral qualities of the inhabitants " of which, and with their persons, man- " ners, and individual characters and con- " nexions, he must have been utterly un- " acquainted. In such a country, torn " with domestic sedition and treason, " threatened with foreign invasion, and " acting, since the union, under an untried " constitution; if Doctor Addington had " required that Lord Kenyon should direct " a Cambridgeshire Earl (meaning the said Philip, Earl of Hardwicke) 'in all " his councils,' Lord Kenyon would as soon, " at the desire of Lord St. Vincent, have " undertaken to pilot a line of battle ship " through the Needles. Particularly the " integrity of Lord Kenyon would have " shrunk from such an undertaking, if a " condition had been added to it, that no " one nobleman or gentleman, who possess- " ed any rank, estate or connexion in the " country, should upon any accou t be con- " sulted. His pride would have spurned at " the undertaking, if he were told, that to " the Cambridgeshire Earl (meaning the said Philip, Earl of Hardwicke) and him- " self in the cares of government, a clerk in " the Secretary's Office, and a couple of " lawyers without political habits, political " information, or honourable connexion, " were to be joined as assessors, and to be " the only assessors. And Lord Kenyon's " pride and integrity would have both join- " ed in preventing him from being himself " the instrument of introducing such men " into a cabinet of government. If any o e " man could be found, of whom a young " but unhappy victim of the justly offended " laws of his country had, in the moment of " his conviction and sentence, uttered the " following apostrophe — " That viper! " " whom my father nourished? He it was " " from whose lips I first imbibed those " " principles and doctrines, which now by " " their effects drag me to my grave; " " and he it is who is now brought for- " " ward as my prosecutor, and who, by " " an unheard of exercise of the prero- " " gative, has wantonly lashed with a " " speech to evidence the dying son of his " " former friend, when that dying son " " had produced no evide ce, had made " " no defence; but, on the contrary, had " " acknowledged the charge, and had sub- " " mitted to his fate."—Lord Kenyon " would have turned with horror from such " a scene, in which, although guilt was in " one part to be puni-hed, yet, in the whole " drama, justice was confounded, humanity " outraged, and loyalty insulted. Of Lord " Kenyon, therefore, (ambricus must well " know it never could have been believed, " that he himself would lead such a character " forward introduce him to the favour of a " deceived Sovereign, clothe him in the " robes and load him with the emoluments " of office. Lord Kenyon must have " known, that a noble duke, for having " toasted at a drunken club, in a common " tavern, to a noisy rabble, " the sovereignty " of the people," was struck by his Majesty's " command out of the Privy Council, and " deprived of all his offices both civil and " military. If, therefore, any man were to " be found who not at a drunken club, or to " a brawling rabble, but in a grave and " high assembly, not in the character of an " inebriated toast-master, but in that of a " sober constitutional lawyer, had insisted " on the sovereignty of the people, as a first " principle of the English law, and had de- " clared, that by law an appeal lay from the " decision of the tellers of the Houses of " Parliament, to that of the " tellers of the " " nation;" and that if a particular law " were disagreeable to the people, however " it might have been enacted with all royal " and parliamentary solemnity, nevertheless " it was not binding, and the people, by the " general law, were exempted from obe- " dience to such a particular law, because " the people were the supreme and ultimate " judges of what was for their own benefit. " Lord Kenyon, if he had been Chancellor " in any kingdom in Europe, would have " shrunk from recommending any such man " to the favour of a Monarch, while there " yet remained a shadow of monarchy vi- " sible in the world."— And in another part thereof, according to the tenor and ef- fect following, that is to say. " It was said " of Lord Kenyon, that he loved money. If " so, he loved his own money only, and not " the money of any other man. Lord Ken- " yon, therefore, as Chancellor, never would " have made any rule or order by the effects

" of which the secretary of a Master of the " Rolls would be deprived of all fees for " the purpose of throwing all those fees into " the hands of the Secretary to the Chan- " cellor, the better to enable that Secretary " to discharge the pension of some unknown " annuitant on his official profits." And in another part thereof according to the tenor and effect following, that is to say, " The " professional pride and inborn honour of " Lord Kenyon (meaning the said late Lloyd, Lord Kenyon) would never have " suffered him to enter into a combination " to sap, by underhand means, the inde- " pendence of his brethren, the judges; he " never would have suffered the great seal " in his hands to be used for the purpose of " garbling the Bench, in order to gratify " those who might be contented publicly to " eulogize that government, which privately " they must have despised; nor would he " have employed any of his leisure in " searching into offices for practices by which " he might harass the domestic arrange- " ments of others, whose pride and whose " integrity would not bend to his views, " and thus double the vigour of his attack, " by practising on the hopes of some, and " endeavouring to work upon the fears of " others." To the great scandal and disgrace of the said John, Lord Redesdale; in contempt of our said Lord the King and his laws; to the evil example of all others in the like case offending; and against the peace of our said Lord the King, his crown, and dignity.

6TH. COUNT.——And the said Attorney General of our said Lord the King, for our said Lord the King, further giveth the Court here to understand and be informed, that the said William Cobbett, so being such person as aforesaid, and again unlawfully and maliciously devising and intending to traduce, defame, and vilify the said John, Lord Redesdale, so being such Chancellor as aforesaid, afterwards to wit, on the same day and year last aforesaid, at Westminster aforesaid, in the County of Middlesex, unlawfully and maliciously did print and publish, and cause and procure to be printed and published, a certain other scandalous and malicious libel, containing therein, among other things divers scandalous and malicious matters and things of and concerning the said John Lord Redesdale, and the conduct of the said John, Lord Redesdale, as such Chancellor, by way of antithesis and contrast between the conduct which in and by the said last mentioned libel it is insinuated, that the said John, Lord Redesdale, as such Chancellor and Privy Councellor as aforesaid, had adopted and pursued, and the conduct which in and by the said last mentioned libel it is asserted, that the said Lord Kenyon would have adopted and pursued, that is to say, in one part thereof, according to the tenor and effect following (that is to say) " It was said " of Lord Kenyon that he loved money; if " so, he loved his own money only, and not " the money of any other man; Lord Ken- " yon, therefore, as Chancellor, never would " have made any rule or order, by the ef- " fects of which the Secretary of a Master " of the Rolls would be deprived of all fees " for the purpose of throwing all those fees " into the hands of the Secretary to the " Chancellor, the better to enable that se- " cretary to discharge the pension of some " unknown annuitant on his official profits" (meaning and insinuating thereby, and intending to cause it to be believed, that the said John, Lord Redesdale, as such Chancellor as aforesaid, had wickedly and corruptly made an order by which the Secretary of the Master of the Rolls, of the said part of the said United Kingdom, would be deprived of his fees for the purpose of throwing the same fees into the hands of the secretary, of himself, the said John, Lord Redesdale, to enable his said secretary to discharge the pension of some person receiving an annuity out of the official profits of his said secretary).——And in another part thereof, according to the tenor and effect following (that is to say) " The professional pride, and " the inborn honour of Lord Kenyon " (meaning the said late Lloyd, Lord Ken- " yon) would never have suffered him to " enter into a combination to sap, by under- " hand means, the independence of his bre- " thren, the judges; (meaning and insinuating " thereby, and intending to cause it to be " believed, that the said John, Lord Redes- " dale, as such Chancellor as aforesaid, had " entered into a combination to sap, by un- " derhand means, the independence of the " judges of the said part of the said United " Kingdom); he never would have suffered " the great seal, in his hands, to be used for " the purpose of garbling the Bench, in " order to gratify those who might be con- " tented publicly to eulogize that govern- " ment which privately they must have des- " pised" (meaning and insinuating thereby, and intending to cause it to be believed, that the said John, Lord Redesdale, as such Chancellor as aforesaid, had suffered the great seal of the said part of the said United Kingdom to be used for the purpose of garbling the Bench of Judges of the said part of the said United Kingdom, in order to gratify those who would publicly eulogize the go-

vernment of the said part of the said United Kingdom, which they must privately have despised) " nor would he have employed " any of his leisure in searchi g into offices " for practices by which he might harass " the domestic arrangements of others, " whose pride and whose integrity would " not bend to his views, and thus double the " vigour of his attack, by practising on the " hopes of some, and endeavouring to work " upon the fears of others," (meaning and insinuating thereby, and intending to cause it to be believed, that the said John, Lord Redesdale, had searched into offices for practices by which he might harass the domestic arrangements of other persons whose pride and integrity would not bend to his views.

To the great scandal and disgrace of the said John, Lord Redesdale, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown, and dignity. Whereupon, the said Attorney General of our said Lord the King, who for our said Lord the King, in the behalf, prosecuteth for our said Lord the King, prayeth the consideration of the Court here in the premises, and that due process of law may be awarded against him, the said William Cobbett, in this behalf, to make him answer to our said Lord the King touching and concerning the premises aforesaid.) — —WHEREFORE the sheriff of the said County of Middlesex was commanded that he should not forbear, by reason of any liberty in his bailiwick, but that he should cause him to come to answer to our said Lord the King concerning the premises aforesaid. And now (that is to say) on Wednesday next, after fifteen days from the feast day of Easter, in this same term, before our said Lord the King, at Westminster, comes the said William Cobbett, by Peter Belt, his Clerk in Court, and having heard the said information read, he saith that he is not guilty thereof, and hereupon he putteth himself upon the country; and the said Attorney General, of our said Lord the King, who for our said Lord the King in this behalf prosecuteth, doth the like. Therefore, &c.

After the Information had been gone through, the ATTORNEY GENERAL addressed the Court and Jury as follows:

MY LORD, AND GENTLEMEN OF THE JURY.—As I am very much disinclined, upon all occasions, to take up the valuable time of the Court, I sincerely lament, that, on the present occasion, I have been obliged to lengthen this record, by inserting in it so many passages; for I am persuaded, that nothing is more conducive to justice, than that it should be confined within as narrow a compass as possible. But, gentlemen, it appeared to me impossible, that you, who are to pass your verdict of guilty, or not guilty, on the defendant in the case before you; or that the Court who, if you find him guilty, will hereafter have to apportion his punishment, should be able to form any correct opinion of the true character of the libels, of their real malignity, of the mischievous intention of the author of them, and of the low means by which he endeavoured to effect his purpose, without laying before you such samples and passages, as would enable you to perceive, that I was not prosecuting a man for an inadvertent or an hasty expression, nor for the fair discharge of his profession as a public writer, who, in the hurry of the moment, had trespassed a little beyond the line of decency and propriety; but, on the contrary, that it was directed against one, who, in a cool, systematic and deliberate manner, had endeavoured to degrade and vilify the whole administration of his Majesty's government in Ireland. It is not so much a libel upon my Lord Hardwicke, it is not so much a libel upon my Lord Redesdale, it is not so much a libel upon Mr. Justice Osborne or Mr. Secretary Marsden, merely for the purpose of traducing and vilifying those characters; but those characters are traduced and vilified, for the purpose of bringing the whole government of Ireland into contempt, and exposing it to the scorn and execration of the people of that country. When I shew to you, gentlemen, as I shortly shall do, that this is the real aim and bent of the whole of these libels, I trust it will not be imputed to me, that I am trespassing, in any degree, upon the liberty of the press, or that fair and free discussion of the conduct of public men and measures, which is the distinguished privilege of every Englishman, which has been abundantly enjoyed since I have had the honour to occupy the situation I hold, and of which Mr. Cobbett, I think, will not be the first man to complain of the violation.—You will also consider, gentlemen, not only the libellous language made use of, but the critical moment in which that language was used: at a moment when the minds of the people of Ireland were in a feverish and distempered state, and liable to be driven to a paroxysm of madness by the slightest impulse. And the taking advantage of a moment so perilous, tends powerfully to establish, that the most base and destructive motive actuated the mind of the defendant. Had the libel not been of

that sweeping nature as to involve the whole political government of Ireland; had it simply been directed against the noble earl at the head of that government; or to the other dignified characters who are the object of the defendant's slander; those dignified characters would, in all probability, have treated it with silent disdain. But they considered, that they had been made the medium of aspersions, which, if not animadverted upon, might be attended with consequences dangerous to the happiness of a large and valuable portion of his Majesty's subjects, and dangerous to the very existence of the British government in that part of the United Kingdom. Gentlemen, you must be well aware, that the character of every government depends greatly upon the estimation in which those are held by whom it is conducted—both those who plan the measures, and those in an inferior situation, by whom such measures are carried into execution; and if there is any one thing more than another, that can recommend a government to the love and affection of the people, it is the purity and integrity of the administration of justice, and of those who deal it out, for the protection of their lives and their property. Yet, gentlemen, you will find, that in all these important particulars, the government of Ireland is attacked. My Lord Hardwicke, as the head of that government, is treated as a person wholly incapable of performing the public functions, and represented as "a very eminent feeder of sheep in Cambridgeshire." My Lord Redesdale, who is placed so high in the counsels of the state, is denominated "a very able and strong-built Chancery pleader from Lincoln's-Inn." Mr. Secretary Marsden is described as "a corrupt, unprincipled, rapacious plunderer, preying upon the property of the state." And Mr. Justice Osborne is held forth as "the most corrupt instrument of a debased and degraded government, lending himself as a screen to conceal them from the disgrace their actions would naturally bring upon them."—Gentlemen, the first passage in the libel to which I shall draw your attention, forms part of a letter on the Affairs of Ireland, signed by the name of Juverna, and was published in "Cobbett's Political Register," of the 5th of November last. The author takes occasion, by the well known fable of the Trojan Horse, to typify the whole Irish government. My Lord Hardwicke is described under the appellation of the "wooden representative of wisdom;" thereby comparing his Excellency to the wooden horse recorded in the history of the siege of Troy. But, perhaps, it will be best to read the several passages to you, and make my comments upon them as I proceed.—The first passage begins thus: "*Equo ne* "*credite Teucri*, was the advice which, in a "dangerous moment, Laocoon gave to the "Trojans. It will be remembered that the "*equus*, against which that sagacious adviser "cautioned his countrymen, was a WOODEN "one. His countrymen did not regard "Laocoon. They received the *wooden* re"presentative of wisdom. They approached "it as if it possessed authority and power. "Its *wooden* head towered above their "houses. But, though the machine itself "was innoxious wood, the credulous Tro"jans found its hollow head and exalted "sides were nothing less than receptacles for "greedy peculators and blood-thirsty as"sassins. The ingenious author of the "story did not mean to confine the lesson, "which it inculcates, to the tale of Troy "alone. He meant to take advantage of "that easy metaphorical expression, which, "by the common assent of mankind, has "moulded itself into most languages, and "by which a certain species of head (which "the moderns, by various moral experi"ments, have ascertained to be a non con"ductor of ideas) has been denominated a "*wooden* head. He meant to caution future "nations not to put trust or confidence in "the apparent innocence of any such "wooden instrument; and not to suffer "themselves to be led to exalt it into con"sequence, or to pay it any respect. He "meant to tell them that any people, who "submitted to be governed by a *wooden* "head, would not find their security in its "supposed innoxiousness, as its hollowness "would soon be occupied by instruments of "mischief." Now, gentlemen, is this or is it not intended to apply to my Lord Hardwicke? The next passage begins thus: "When I found, Sir, this portion of the "kingdom overwhelmed by such conse"quences to our property as the rapacity of "Mr. Marsden and his friends, and such "consequences to our lives as the pikes of "Mr. Emmett and his friends have lately "produced: when I could trace all these "evils as the inevitable issue from the head "and body of such a government as that of "Lord Hardwicke, and I am told of his "*innoxiousness* and his *firmness*, I still reply "the story of the *wooden* horse, and I shall "still, notwithstanding the fate of Laocoon, "raise my voice to my countrymen and cry, "*Equo ne credite Teucri.*" Is it possible, gentlemen, that the passages I have read to you can bear any other interpretation than

that which I have put upon them? He then goes on, in a style of flippancy, that he does not mean to state literally, that the head of his Excellency was absolutely built of timber. But I will give you the gentleman's own words: "not, Sir, that I would be "understood literally. I do not mean to "assert that the head of my Lord Hard-"wicke is absolutely built of timber. My "application, like that of the original au-"thor of the tale, is only metaphorical. "Yet, at the same time, I cannot avoid "suspecting, that if the head of his Excel-"lency, were submitted to the analysis of "any such investigator of nature as La-"voulier, it would be found to contain a "superabundant portion of particles of a "very ligneous tendency." Now, gentlemen, is there any thing in all this, that can be called a fair and liberal description of the conduct of a public character? He then goes on to say, "this, Sir, is the Lord "Hardwicke of Doctor Addington, against "whose government not a murmur of "complaint has been heard—while our "property has been subject to the plunder "of his clerks, and our persons have been "exposed to the pikes of the rebels. Still, "however, the innocence of Lord Hard-"wicke, as to any intention of mischief, "is held forth. But, I reply in the words "of Mr. Burke: 'they who truly mean "well must be fearful of acting ill. De-"'lusive good intention is no excuse for "'presumption.' And I may add, in my "own words, that the government of a "harmless man is not, therefore, a harmless "government." Gentlemen, I have already adverted to the indecency and flippancy of many expressions made use of in this libel. If this libeller had been hurried away with the temptation of saying a flippant thing, I should not have thought it a subject of criminal prosecution. But, in the case before you, it is criminal, as indicating the spirit with which it was written, and as being descriptive of the mind of the man at the time he was making them. I would not, however, be understood to say, that even in the warmth of discussion upon public men and public measures, decency of language ought not to be preserved, and that any deviation therefrom is not punishable. What I mean, in this case, is, that I have thought it beneath the dignity of these high characters, to have taken notice of any personal abuse, if that personal abuse had not been connected with a systematic attack upon the whole of the Irish government. I do not mean to say, that the describing such a man as Mr. Addington, by the epithet of Doctor Addington is degrading to him, nor that I would advise that such an epithet should become the subject of a prosecution in a Court of Justice; but, surely, no one who has the least liberality of feeling, or the least sense of decency, could think it becoming to taunt such a gentleman as Mr. Addington: a gentleman who, the more he is known, the more his character will be admired. For my part, I feel no sympathy with those who think there is any wit in such titles. Mr. Addington is the son of a man who most ably and skilfully practised in a liberal profession, who, by his talents, became justly eminent in that profession, and whose son raised himself by his great abilities to one of the highest offices in this country. I again say, that for any publication calling Mr. Addington "Doctor Addington," or for any flippancy of that nature, standing by itself, I should think it beneath the dignity of that right honourable gentleman, to make it the subject of a prosecution; but I also say, that when you see an epithet of this nature introduced, it does shew the spirit with which the libel was published, and that it was a systematic attack upon the whole government of Ireland, by bringing into contempt and ridicule, the persons placed by his Majesty at the head of that government. The next passage runs thus: "inquiry and research are the duty and the "resource of the ignorant, and therefore I "did inquire. The result of no small at-"tention bestowed in this pursuit was, that "I discovered, of our Viceroy, that he was "in rank an earl; in manners a gentleman; "in morals a good father and a kind hus-"band; and that he had a good library in "St. James's Square. Here I should have "been for ever stopped, if I had not, by "accident, met with one Mr. Lindsay, a "Scotch parson, since become (and I am "sure it must be by Divine Providence, for "it would be impossible to account for it "by secondary causes) Bishop of Killaloo "in Ireland. From this Mr. Lindsay, I "further learned, that my Lord Hardwicke "was celebrated for understanding the mo-"dern method of fattening a sheep as well "as any man in Cambridgeshire." Now, gentlemen, I may be asked, if calling my Lord Hardwicke the most distinguished character that can belong to a man—"in morals a good father and kind husband," having "a good library in St. James's Square, and being attached to agricultural pursuits,"—I may be asked, I say, whether I mean to consider all these good qualities as being a libel on my Lord Hardwicke? Yes, gentlemen, I do—with the text with

which they are accompanied. Qualities like these ought to have made the libeller pause before he ventured to attack such a character. He tells you, my Lord Hardwicke has got "a good library in St. James's Square," and that he is "celebrated for understanding the modern method of fattening a sheep as well as any man in Cambridgeshire!" Gentlemen, you must shut your eyes, you must shut your understandings, if you do not see that these amiable qualities are attributed to Lord Hardwicke, with a slanderous, with an ill-natured meaning.—With respect to this fattener of sheep in Cambridgeshire, he goes on to say: "while "I have been writing, Sir, a map of the "West-Indies happened to hang before me. "My eye wandered, I know not why, upon "it, and fixed upon one of those little "islands, which have been lately, by the "British troops, redeemed from the *capitu-lation* of Lord Cornwallis at Amiens. "Give me leave to suppose, that, in the "course of a few years, one of those little "islands should become highly cultivated, "and that a considerable portion of British "property became vested in its land and in "its trade. Suppose, that, by some un-"fortunate combination of events, this little "island should be deeply shaken by insur-"rection within, and should be loudly me-"naced by invasion from without. Sup-"pose a powerful fleet of the enemies of "the British name lay to windward, ready "filled with troops for landing, while a "desperate band of ruffians were secretly "arming in its bosom, ready to aid that "landing of a foreign enemy." (Alluding certainly to the state of Ireland.) "Sup-"pose," he continues, "in this distress, a "committee of West India proprietors, "whose money had been vested in this little "island, should apply to the Dr. Addington "for assistance: and suppose he were to rise "up and desire them to quiet their appre-"hensions, for *that he had entrusted the* "*care of their island to a very eminent* "*sheep feeder from Cambridgeshire, who* "*was to be assisted in all his counsels by a* "*very able and strong-built chancery pleader* "*from Lincoln's Inn.* Give me leave to "ask you, Sir, who know the city much "better than I can pretend to do, what "would a sugar committee, issuing from "one of their coffee-houses, say to such an "answer from a British minister? Why, "Sir, the walls of St. Stephen's, and the "chambers in Downing Street, would be "made to ring with their vociferous re-"proaches. And yet, Sir, to this situation "is that portion of the United Kingdom re-"duced: on the strength and vigour of "which, at this moment, not only its own "safety, but, as I have, in my former letter, "stated, the safety of the British empire, "and, consequently, I may assume the "safety of Europe does entirely depend. "Against the truth of the description I have "given of its rulers, I may challenge the "most daring supporter of the present go-"vernment to produce me one single act in "the lives of either of those *truly great* "*characters* of the Doctor, which can en-"title them to claim one particle of trust "or confidence from the public, beyond the "bounds and limits within which I have "encircled their exploits." Now, gentlemen, will any man believe that there is any degree of candour in saying, that all that has been done by the British government for Ireland, is to send them a sheep feeder from Cambridgeshire, and strong-built chancery pleader from Lincoln's Inn, when I tell you, that at the moment when the government of Ireland is so abominably libelled, that country is defended, externally and internally, by fleets and by armies, beyond what it ever has been in any former period of its history? Nay, gentlemen, I will go still further. I will venture to assert, that Great-Britain never was possessed of an army so well disciplined, so well appointed, so well regulated, and so well commanded, as that now in Ireland. And yet this libeller represents, that all that has been done for the people of Ireland, is to send them a sheep feeder from Cambridgeshire, and a strong-built chancery pleader from Lincoln's Inn! Is not this telling the people of Ireland, that they must expect nothing from their own government, and encouraging them to look to some other for protection?——He next goes on to say: "on the chancery pleader, perhaps, I may "have laid too great a stress—he is not of "the first consequence—though, in a future "letter, I may, perhaps, point out to you "the mischiefs which the intermeddling of "such a man in matters out of the course "of his *practice* may occasion. But, with "respect to Lord Hardwicke, it may be re-"plied, that my challenge is unfair, because "it is impossible to justify his having been "appointed to the government of Ireland "by any instance of *former* political ability, "as the acceptance of his present office was "his *first* political essay. What? Is he "one of the tribe of the Hobarts, West-"morelands, and Camdens? Is he one of "that tribe, who have been sent over to *us* "to be trained up here into politicians, as "they train the surgeon's apprentices in the "hospitals, by setting them at first to bleed

"the pauper patients? Is this a time for a "continuation of such wanton experiment? "The gift of Lord Hardwicke to us, at "such a period, cannot be compared to any "thing else than the prank of Falstaff upon "Prince Hal at the battle of Shrewsbury, "when the Knight handed over his *Pistol* "to the Prince. For indeed, Sir, by the "present to us of Lord Hardwicke, that "sentence has been proved to us in a "bloody truth, which Falstaff said in a good "humoured jest—'here's what will sack "'a city.'" Now, who are the Hobarts, the Westmorelands, and the Camdens to whom this libeller alludes? I will tell you, gentlemen. They are great and deservedly illustrious characters who formerly occupied the highest situations in the government of Ireland. And, thus, you will perceive, that this is not only a libel upon the Irish government of the present day, but a libel upon former governments. With respect to my Lord Hardwicke, I will venture to say, that there never was a nobleman who, by his wise administration of justice, and his amiable and conciliatory manners, effected more for the tranquillity and happiness of Ireland than that nobleman has done. Totally to prevent sudden ebullitions of discontent and disaffection, is, perhaps, beyond the reach of any talents; but, to crush rebellion in its birth, to stifle the monster as soon as it appeared, was the achievement of my Lord Hardwicke. He put down insurrection, without offering violence to the constitution, by the mild but firm operation of the established law. The rebellious were punished, and the loyal were made secure, without infringing on the trial by jury, or on the general peace of the country; and the necessary and wholesome rigour of the law did not interrupt the tranquillity of the nation at large, which feels itself grateful and happy, under the mild, the temperate, the firm, and the conciliatory government of the amiable nobleman, whose character is so scandalously aspersed in this abominable libel.——I shall now proceed to that part of the libel which relates to Mr. Justice Osborne, and which forms the second libel stated on the record. And here, gentlemen, you will see that there is an attempt, by means of a thin covering, to impute to that learned judge improper conduct, in the course of a charge which he delivered to the Grand Jury for the County of Antrim. The libeller wraps up his poison in the shape of a dry narrative of facts. He begins thus; "what I have now to touch upon must be "done with a delicate hand. I will confine "myself to a bare narrative of facts, and will "not presume to give any opinion. As "soon as the government had fully recovered its recollection, a commission, directed "to five of the judges, issued for the trial of "those rebels who had been arrested for "treason committed in the county and city "of Dublin. This commission, having issued while the judges were on circuit, was "filled up (and very properly filled up) with "the names of the five *senior* of those judges "who were then on the circuits, which were "likely to terminate at the earliest period "of time. Such was the reason given by "government for the particular selection of "the judges named in that commission, and "it certainly was a good reason. In some "time after this commission had been sitting, it became necessary to issue a new "commission for the trial of rebels in the "shires of Antrim and of Down. In the "appointment of this second commission, "the principle, which directed the selection "in the first, was not adhered to. On the "contrary, the *junior* judge of the twelve "was very anxiously culled out, and placed "in this new commission, over the heads of "a number of his seniors. This, however, "could not, and ought not to have given offence to any of those senior judges, because, whatever opinion of them the government may have manifested in such an "appointment, the opinion of the present "government upon such a subject (known "to be influenced by motives very different "from general justice) is too contemptible "to have the slightest effect upon any of "those learned judges in the public mind. "The circumstance, therefore, was not at "first attended to. There is published, in "this city, a newspaper, called the Dublin "Journal. It is, in general, conducted with "good sense, loyalty, and a regard to truth; "but, in particular deviations, it is known "to be under the control and immediate "direction of government. In that paper "of the 20th of October last, a publication "appeared, which purported to be a charge "given by the *junior* judge above alluded "to, to the grand jury of the county of "Antrim. In this place I beg now to declare, that I am far from attempting to "assert, that the learned judge did pronounce any such charge; and when I "speak of his charge, I request you will "understand I mean only the newspaper

Printed by Cox and Baylis, No. 75, Great Queen Street, and published by R. Bagshaw, Bow Street, Covent Garden, where former Numbers may be had; sold also by J. Budd, Crown and Mitre, Pall-Mall.

" publication above-mentioned. In the " newspaper publication the learned judge " is made to tell the grand jury, that " 'through the *well-timed efforts* and stre- " 'nuous exertions of a WISE and ENER- " 'GETIC government, &c. the progress of " 'such crimes as lately disgraced this coun- " 'try had been effectually checked.' If " the learned justice did make any such as- " sertion, (which I am far from supposing) " with what amazement the grand jury " must have received such a broadside, " poured upon the truth of the fact, I can- " not, as I was not present, know: but I " can very well imagine what the feelings " of twenty-three well informed gentlemen " must have been. Their respect, and a " thorough knowledge of their duty would " necessarily keep them silent. But though " men remain silent under the proper awe " and control of a court of justice, their " language only becomes more strenuous " when that restraint is taken off, and they " meet together in private confidence." The libeller then proceeds to say; " but, " Sir, suggestion does not stop here. Men " ask, how could (if the learned justice did " make any such assertion) the learned jus- " tice be led to give credit to a position " which contradicts the evidence of the " senses of every man in the kingdom, who " was present at, or knew any thing of the " transaction? How could a learned judge " be supposed to assert that, which no man " in the kingdom would assert, unless he had " some reasons of the same nature as those " which prevailed on Mr. Marsden's attor- " ney-general, on the trials for high treason, " to assert something of the same kind? " Men, Sir, couple the *extraordinary selection* " of the learned justice from amongst his " fellows, with the *extraordinary assertion* " attributed to him in a government news- " paper, and they ask, if he made that as- " sertion, where did he get his information? " Was he ever in Mr. Marsden's audience- " room since the night of the 23d of July? " What *passed* there? What were the pre- " disposing causes which induced govern- " ment to *select particularly* that learned " justice? Could government have *foreseen* " (and if so, by what faculty) that the " learned justice would have given an in- " struction to the grand jury, so very use- " ful and so very grateful to the govern- " ment? What night telescope could have " been applied to the eye of Mr. Marsden, " which, through the dark womb of things " unborn, could have enabled him to per- " ceive, through this little future star of " praise, springing from the creative lips of " the learned justice? Here, Sir, decorum " towards you and towards the public in- " duces me to be silent as to other, and, " perhaps, stronger observations. But I " may, I believe, add what men also say, " that if it were possible the ermined robe " of the most awful attribute of his Majesty " should have been wrapped round the acts " of Mr. Marsden, in order to screen them " from public disgrace, we might then look " for another, but not less fatal end to our " liberties and to our constitution than that " which rebellion or invasion could produce. " And in truth, they say, that except as to " momentary effects, rebellion and invasion " might be viewed with indifference, if it " can be supposed, that the stained hands of " a petty clerk had been washed in the very " fountain of justice." Thus, gentlemen, is Mr. Justice Osborne accused with having poured in a broadside upon the fact, meaning thereby, that that learned judge had been guilty of a falsehood. And then, with reference to Mr. Secretary Marsden, it proceeds to state, that rebellion and invasion were evils of less magnitude, than the ermined robe of his Majesty being wrapped round a man, whose blood-stained hands had been washed in the very fountain of mercy. Now, gentlemen, is this or is it not, one of the most dangerous libels to the peace and tranquillity of Ireland, that could possibly have been published? And can there be expected any loyalty or any attachment in the people of that country, if such foul aspersions upon individual characters in the administration of justice be suffered to pass without the reprehension of the law?—— The next point I come to, is the libels upon my Lord Redesdale. And here I cannot help saying, that it would have been an unpleasant part of my duty, had I been called on to prosecute for this alone. Not that there is not in this part of the publication, abundant matter for prosecution, but, personally, I should have found the task a very unpleasant one, on account of my known connexion with that noble lord. I shall, therefore, say of him less on that account; and less, I am inclined to believe, than any of my learned friends around me would have said of him, had it fallen to their lot to manage this prosecution. That noble lord is well known to all the bar in this country, and I leave it to that bar to feel for his character as it deserves to be regarded; but I am sure it will not be said, that because the Chancellor of Ireland happens to be brother-in-law to the Attorney-General of England, that, therefore, he is to go unprotected.—— Gentlemen, this is one of the most scandal-

ous and abominable libels that ever came before an English jury. Is it possible that noble lord should have so far taken leave of his former character as to be guilty of the corruption with which he is here charged? The libel professes to draw a comparison between the late Lord Kenyon and the present Lord Chancellor of Ireland, and under the artful pretext of shewing us what my Lord Kenyon would not have done, he pretty plainly insinuates what my Lord Redesdale has done. The libeller introduces it in this way; "instead of calling him to the "high station which he so ably filled, had "it pleased his Majesty to bless the western "neighbours of Cambricus (who certainly "owe the honest and warm-hearted principality no ill will) with Lord Kenyon for "their Chancellor; I can very well conceive what Lord Kenyon, in such a situation, would have done, and also, what he "would not have done. From a rare modesty of nature, or from a rare precision "of self knowledge, Lord Kenyon would "have acted with reserve and circumspection, on his arrival in a country, with the "moral qualities of the inhabitants of which, "and with their persons, manners, and individual characters and connexions, he "must have been utterly unacquainted. In "such a country, torn with domestic sedition and treason, threatened with foreign "invasion, and acting, since the union, under an untried constitution, if Doctor Addington had required that Lord Kenyon "should direct a Cambridgeshire Earl 'in "'ALL his councils,' Lord Kenyon would "as soon, at the desire of Lord St. Vincent, "have undertaken to pilot a line of battle "ship through the Needles. Particularly, "the integrity of Lord Kenyon would have "shrunk from such an undertaking, if a "condition had been added to it that no "one nobleman or gentleman who possessed "any rank, estate, or connexion in the "country, should upon any account be consulted. His pride would have spurned at "the undertaking, if he were told, that to "the Cambridgeshire Earl and himself, in "the cares of government, a clerk in the "secretary's office, and a couple of lawyers "without political habits, political information or honourable connexion, were to "be joined as assessors, and to be the only "assessors. And Lord Kenyon's pride and "integrity would have both joined in preventing him from being, himself, the instrument of introducing such men into a "cabinet of government. If any one man "could be found, of whom a young but "unhappy victim of the justly offended laws "of his country, had, in the moment of his "conviction and sentence, uttered the following apostrophe—'That viper! whom "'my father nourished! He it was from "'whose lips I first imbibed those princi-"'ples and doctrines, which now by their "'effects drag me to my grave; and he it "'is who is now brought forward as my "'prosecutor, and who by an unheard of "'exercise of the prerogative, has wantonly "'lashed, with a speech to evidence, the "'dying son of his former friend, when "'that dying son had produced no evi-"'dence, had made no defence, but, on the "'contrary, had acknowledged the charge, "'and had submitted to his fate.'—Lord "Kenyon would have turned with horror "from such a scene, in which, although "guilt was in one part to be punished, yet "in the whole drama, justice was confounded, humanity outraged, and loyalty insulted"—Gentlemen, this passage alludes, as I shall presently shew you, to Mr Plunkett, the present Solicitor General of Ireland. It charges my Lord Redesdale with having improperly introduced that gentleman into the government of Ireland, and accuses the said Solicitor General with having made an improper speech on the trial of Mr. Emmett for high treason. As to the slander upon the Solicitor-General of Ireland, that learned gentleman has not made it the subject of a criminal charge, but has commenced a civil prosecution against Mr. Cobbett, thereby affording him an opportunity of justifying and proving the truth of what he has published. Gentlemen, the whole of this passage is a most gross libel upon my Lord Redesdale, and not merely upon my Lord Redesdale, but upon the whole Irish government. He says, that "Lord Kenyon would have turned with horror from such a scene." What scene? The scene of the trial of Mr. Emmett, that traitor, who was the heart and fountain of that bloody rebellion. Yet he says, that Lord Kenyon would have turned with horror from such a scene! Gentlemen, am I to be called upon to make any comments on a passage so infamous as this is?—He goes on to say; "of Lord Kenyon, therefore, "(Cambricus must well know) it never "could have been believed, that he himself "would lead such a character forward, introduce him to the favour of a deceived "Sovereign, clothe him in robes, and load "him with the emoluments of office. Lord "Kenyon must have known that a noble "Duke for having toasted at a drunken "club, in a common tavern, to a noisy "rabble, '*the sovereignty of the people*'

" was struck, by his Majesty's command, " out of the privy council, and deprived of " all his offices both civil and military. " If, therefore, any man were to be found, " who, not at a drunken club, or to a " brawling rabble, but in a grave and high " assembly; not in the character of an " inebriated toast-master, but in that of a " sober constitutional lawyer, had insisted " on *the sovereignty of the people* as a first " principle of the English law; and had de- " clared, that by law an appeal lay from " the decision of the tellers of the Houses of " Parliament, to that of the '*tellers of the* " '*nation*;' and, that if a particular law " were disagreeable to the people, however " it might have been enacted with all royal " and parliamentary solemnity, nevertheless, " it was not binding, and the people by the " general law were exempted from obedience " to such a particular law, because the peo- " ple were the supreme and ultimate judges " of what was for their own benefit.—Lord " Kenyon, if he had been Chancellor in " any kingdom in Europe, would have " shrunk from recommending any such man " to the favour of a Monarch, while there " yet remained a shadow of monarchy visi- " ble in the world." Thereby intimating, that, knowing the character of that gentle- man, my Lord Redesdale had, nevertheless, recommended him to the favour of the So- vereign, and to the situation he holds under the government of Ireland. But, gentle- men, the libel does not stop here; it goes on to say: " it was said of Lord Kenyon " that he loved money. If so, he loved his " own money only, and not the money of " any other man. Lord Kenyon therefore, " as Chancellor, never would have made " any rule or order by the effects of which, " the secretary of a Master of the Rolls " would be deprived of all fees, for the " purpose of throwing all those fees into the " hands of the secretary to the Chancellor, " the better to enable that secretary to dis- " charge the pension of some unknown an- " nuitant on his official profits." Thereby imputing to Lord Redesdale, that he loved the money of other men, and that he corrupt- ly ordered the fees of the secretary of the Master of the Rolls to be given to his own secretary, the better to enable him to pay a pension to an unknown annuitant; when, in truth, Lord Redesdale did not so much as appoint his own secretary, but continued the gentleman who filled that office under his predecessor, my Lord Clare.—He goes on: " the professional pride and the inborn " honour of Lord Kenyon, would never " have suffered him to enter into a combi- " nation to sap, by underhand means, the " independence of his brethren the judges. " He never would have suffered the great " seal in his hands to be used for the pur- " pose of garbling the bench, in order to " gratify those who might be contented pub- " licly to eulogize that government, which " privately they must have despised." Here, gentlemen, the mask is thrown aside—— " Nor would he have employed any of his " leisure in searching into offices for prac- " tices, by which he might harass the do- " mestic arrangements of others, whose " pride and whose integrity would not bend " to his views; and thus double the vigour " of his attack by practising on the hopes " of some, and endeavouring to work upon " the fears of others." Here, he directly charges Lord Redesdale with employing his leisure in searching into offices for practices, by which he might harass the domestic ar- rangements of those whose pride and integ- rity would not bend to his views. And I ask you, gentlemen, whether crimes in a judge, more gross or more abominable than those thus attributed to my Lord Redesdale, could possibly have an existence?—Gentle- men, such are the passages which I have selected for your consideration, from a mass of others equally libellous. I have taken them from the third and fourth Letters of Juverna, though any one letter of the series would have shewn you the libellous spirit with which they were written. I am not at all aware what sort of defence it is intended to be set up for Mr. Cobbett. Perhaps it may be said, that the Defendant was only concerned in the publication, and not in the composition of this libel. But, gentlemen, Mr. Cobbett must either be the author, or the vehicle of the libel of another man, and he that makes public the libel of another man, is as guilty as if he were the writer of it himself. The inclination of my opi- nion is, that Mr. Cobbett is not the author; but this is no mitigation of his guilt. I have told you that I have selected the passages from two letters published at different pe- riods; and I have been induced to do so, in order to convince you, that the publication was not a careless act, but that the crime was repeated with the utmost deliberation. Nay, gentlemen, I may go farther, and tell you, that the malice of Mr. Cobbett in these publications has been manifested in an un- common degree; for since his attention has been called to this subject, and even down to Tuesday last, Mr. Cobbett, finding that the public curiosity was very much turned to these libels, and that it was a lucrative business, has suffered the sale of these very

publications which are the subject of this prosecution, uninterruptedly to go on. I, therefore, apprehend, that no excuse can be found for Mr. Cobbett in this case; nor can he be called, with any propriety, the mere editor of these libels. If he is the author, every one will admit that he must be answerable for them in point of law. And if he is not the author, he is equally answerable, or rather more so, in point of morals, for being the publisher, under the particular circumstances of the case.—Gentlemen, Mr. Cobbett either is, or conceives himself to be, the ablest, best and most consummate politician, and the most pure and disinterested editor of a newspaper the world ever saw. He either is, or believes himself, beyond the ordinary rank of mankind, and that therefore, there should be considerable indulgence shewn to a man of this description for thinking meanly of those who grovel so much below him; but the difficulty is in justifying him in holding forth others to contempt, because they are not equal to himself. Gentlemen, who is Mr. Cobbett? Is he a man of family in this country? Is he a man writing purely from motives of patriotism? *Quis homo hic est? Quo patre natus?* He seems to imagine himself a species of censor, who, elevated to the solemn seat of judgment, is to deal about his decisions for the instruction of mankind. He casts his eye downward, like the character represented by the poet of nature, from Dover Cliff, and looks upon the inferior world below as pigmies beneath him. Perhaps, in the proud contemplation of his own abilities, he supposes he is not to submit to the laws and institutions adapted to the vulgar herd of society; but, gentlemen, whatever may be our inclination to forgive what comes from such a censor, I am afraid we must be content to consider him, in this Court, as a common being, and to subject him to the usual restrictions which he will admit to be accommodated only to our inferior capacities.—Gentlemen, it is not easy to dive into another man's mind. But I will suppose a case, that these publications are the work of some person who imputes corrupt motives to government, because he himself was disappointed in a system of his own, and who libels government for corruption, when the absence of that corruption is the true cause of the complaint. Supposing, I say, this to be the case, what can be the excuse for such a man? What can be the excuse for slander originating in motives of this nature? I do not say that these publications do originate in such motives, because I cannot prove it. I wish I could; for, in that case, the prosecution certainly should not stop here.

WITNESSES ON THE PART OF THE CROWN.

Mr. *Barry*, from the Stamp Office, produced the affidavit filed in the office, with the names of Cox and Baylis, as the printers, No. 75, Great Queen-street; R. Bagshaw, the publisher, Bow-street, Covent-garden; and William Cobbett, 15, Duke-street, St. Catherine's, Westminster, as the sole proprietor of the Weekly Political Register.—Mr. Adam, for the Defendant, took two objections to this part of the evidence; the one was, that the hand-writing of Mr. Cobbett was not proved, and the other that the place of his residence was not properly described, there being no such situation as appeared on the face of the affidavit. The proof was immediately given by the witness, who said he saw the affidavit signed, and the latter objection was over-ruled by his Lordship, this being the description given of his residence by the Defendant himself.

Mr. *Henry Fallowfield* was then called to produce the letters patent under which Lord Hardwicke, and the other great officers were appointed, when the witness was stopped by the admission of the defendant of the offices being so held by the persons so named in the information.

Mr. *Walter Prober*, and Mr. *James Elkington* were examined by Mr. Dallas and Mr. Abbot, and gave testimony to the purchase of the Weekly Political Register, containing these libels, at Mr. Bagshaw's, in Bow-street, and at Mr. Budd's, another agent of the Defendant, at the Crown and Mitre, Pall-mall.

Mr. *Adam*.—I hope, my lord, I shall be permitted to read parts from the whole correspondence, not only the letters on the affairs of Ireland, Nos. 3 and 4, quoted in the information, but the whole series of No. 1 to No. 5.

Lord *Ellenborough*.—You cannot read them unless they are virtually incorporated by some reference.

Mr. *Lowten* now read in evidence the several passages which will be found in the Information.

Mr. CROWE *examined by Mr. Erskine.*

Q. Who do you understand by the Cambridgeshire Earl? A. Lord Hardwicke.

Q. And whom by the Chancery pleader? A. Lord Redesdale.

Q. And whom by the junior Judge? A. Mr. Justice Osborne.

Q. And whom by the clerk in the Secretary's office? A. Mr. Marsden.

The evidence being closed on the part of the Crown,

Mr. ADAM rose and addressed the Court as follows: *My Lord, and Gentlemen of the Jury.* I have an anxious duty to discharge; a duty which presses upon me the more heavily, from the circumstance of my not being accustomed, so much as some of my learned friends are, to business of this nature, and from my not having practised, of late years, so much at this bar as in other Courts. And the anxiety I feel has, in no degree, been diminished, from the manner in which the prosecution has been conducted, the way in which so many honourable characters have been introduced and spoken of, and, above all, from the character and situation of the person who has entrusted to me the care of his defence. —Gentlemen, I am sure I shall have your serious attention, when I state to you, that I stand here in behalf of a person, whom, though he is accused of a serious crime, I can describe to you, as a good father, an excellent husband, a virtuous subject of the King, and one who has uniformly, in all his conduct, public and private, in this country and abroad, endeavoured to uphold the true constitution of England, as by law established—a person who is ardently attached to the monarchical frame of this government, and who has repeatedly stepped forward, to the certain loss of his fortune and the risk of his life, to defend the interests of England abroad, and to support the true spirit of the British constitution, and the honour and interests of Britain, at home—a person who, for twelve long years of public life, has never, till the present moment, been once questioned for a libel on the government of any country whatever; has never, even by the worst of his enemies, been accused of being an advocate for misrule.—When, therefore, the defence of such a man is entrusted to me, I cannot but feel great anxiety. Nor, is that anxiety diminished, by the manner in which the Attorney General thought proper to address you; nor by those peculiar circumstances of the case, which he stated to you with so much delicacy. Entertaining, as I do, a proper respect for the public characters adverted to in the Information, it becomes me to discuss the allegations with freedom, and, at the same time, with temper and decorum. I should, however, ill discharge my duty, if I did not enter upon this defence with firmness. And I am sure his Lordship will go along with me in saying, that we ought to treat the persons alluded to in the publications, not as private individuals, but as persons composing the government of Ireland. This is the real state of the question you have to try. It is not an Information filed for the personal vindication of the individuals, or for private retribution of justice, but is to justify public agents, in order to exonerate the Irish government from the charges made or implied in this publication.—Gentlemen, the question then, for you to try is this, and to which you will apply your minds seriously, what was the intention, *quo animo* was this publication made? It has been stated to you, that this publication was sold so late as Tuesday last; and this was brought for the purpose of shewing the disposition and intention of the person accused.—Gentlemen, the question of intention was, for a long time, excluded from the consideration of the Jury; but since this jurisdiction has been acknowledged by a Declaratory Act, the law has been clearly understood. It took place in the 32d of his Majesty's reign, and is entitled, "An Act to remove Doubts respecting the Functions of Juries in Cases of Libel." This statute enacts and declares, that on every trial for this offence, the Jury may give a general verdict of guilty or not guilty, upon the whole matter, and shall not be required to find the defendant guilty, merely on proof of publication, but may enter into the sense which the matter alledged to be libellous may correctly bear. You are, therefore, gentlemen, now invested with complete jurisdiction. An investigation of the conduct of public characters is the great and essential privilege of Englishmen. It has been said by Mr. Hume, that this liberty arose with the revolution, and, that, "as our right is founded on this "liberty, so will our liberties be lost with "this right" The liberty of the press has ever been held as one of the first principles of the constitution; but the controul which the Attorney General is desirous of putting upon it, would go to extinguish that liberty for ever. The controul which he wishes to fetter it with, is this. He says he is no enemy to a fair and free discussion of public characters, provided it be done with decency and decorum. Upon this point I am at issue with the Attorney General. For, if the doctrine here laid down were to be admitted, there would be an end to all vigorous and manly writings. We should henceforward have no standard to appeal to; because, what might appear decent in the opinion of one Attorney General, might appear ungentlemanlike and scurrilous in the opinion of another; and thus, the freedom of discussion relative to public men and public measures would depend, not upon a point

of right, but upon the taste of the Attorney General —Gentlemen, these observations are material for your consideration; they are material on every account; both as applying to that invaluable privilege, the liberty of the press, and as applying, as I hope you will find it apply, to the manly character of the gentleman whose cause I am now pleading. And, I trust, after you have heard what I shall have to address to you, you will be of opinion that I have not entertained that hope in vain, but that, in your discernment and justice, I shall have that verdict for the Defendant which will relieve him and his family from the distress which now hangs over them. In the course of what I am about to say, I shall necessarily have to follow the example of the Attorney General in repeating many of the passages which have been read to you already. This is a duty we all have to discharge here; and I am sure you will listen to them with the attention they deserve. There is not a doubt, and I shall shew it you, that the production complained of was written after one of the most extraordinary and melancholy events that can possibly take place in any country. It originated and is founded upon the calamitous events, which took place in Dublin on the 23d of July last. It is a description of that event, and was sent for publication to the person who is now under prosecution. Mr. Attorney General says, that, whether Mr. Cobbett is the author, or whether he is merely the publisher, he is equally culpable. For my own part, I am fully convinced that Mr. Cobbett is not the author of this publication; but, whether he is or is not, you are to try it entirely by its own intrinsic merits. "But," says Mr. Attorney General, "you have had "evidence, that a person bought the papers "in Pall Mall and in Bow Street, down to "the very day of the trial." This is very true, gentlemen, but you have had no evidence that Mr. Cobbett had any share in the publication of them. The witness merely stated, that the papers were sold by two persons; not that they were sold by Mr. Cobbett.—Mr. Attorney General has thought proper to enter into a long panegyric on the political merits of the Earl of Hardwicke. Now, I must say, that I conceive the Attorney General has no right to give you his private opinion of the merits of the Earl of Hardwicke, or of any servant of the crown, seeing that, from his official situation, I should stand on unequal grounds, if I were to state my opinion in opposition to the opinion of his Majesty's Attorney General. You must, therefore, discard all such evidence from your minds, and solely decide upon the merits of the case, from the evidence which you have already heard, and from that which I shall presently call to the character and conduct of the present defendant. And this circumstance now leads me, very shortly, to state for your consideration, a few facts and observations relative to the character of the person before you. My learned friend has, in a vein of irony, alluded to Mr. Cobbett's "illustrious descent" Gentlemen, Mr. Cobbett does not merit such allusions: Mr. Cobbett is no vain boaster: he does not boast, and has never boasted, of his pretensions in that respect. Mr. Cobbett is a person who, for a long period of time, both in America and in this country, has discharged the duties of a public writer; a station, which is one of the most important in the community, and if a man conducts himself in it with talent and with integrity, and according to the strict principles of the constitution, is also one of the most respectable and most honourable. To prove to you, that Mr. Cobbett has not boasted of his high descent, I will quote you a passage from one of his publications printed in America, where, on account of the slanders that were heaped on him, because he stood forward in defence of his country, he was compelled, in some sort, to publish a sketch of his life, in which sketch he concludes the description of his birth and parentage with saying: "if from "my ancestors I derive no honour, I de-"rive no shame." He was, as he there states, the son of a farmer, and the grandson of a day-labourer. He had no education but what was acquired in the hours of relaxation from the toils of the field. He there says, and greatly to his honour, that he cannot remember the time when he did not earn his living. His father's house he quitted at a very early age. He has been in many parts of the world; constantly acquiring information, constantly walking in the path of integrity and honour, and constantly a strenuous defender of his country, against all her enemies. In several branches of science, and those not of the least difficult, he has shewn himself capable of excelling, notwithstanding he has had no aid from others, and is self-taught even in the grammar of his native language, that language which he uses with a degree of acuteness, precision, and force, rarely to be met with in the writings of his contemporaries. Without any other guide than the purity and firmness of his own mind, he became, in a foreign country, and at a most critical juncture, the champion, the almost sole defender of the

interests and honour of his country; and, this course of conduct he can be proved to have pursued during the whole of his political life.—Gentlemen, would not this species of character, which I could trace back to the hour when Mr. Cobbett left his father's house .....

LORD ELLENBOROUGH.—I conclude you mean this only as evidence to general character. As such, I have no objection to your taking a free range.

MR. ADAM.—I will draw your attention, Gentlemen, to another passage or two of the publication from which I have already quoted. Mr. Cobbett says: "to be "descended from an illustrious family certainly reflects honour on any man, in "spite of the sans culotte principles of "the present day. This is, however, an "honour that I have no pretension to. All "that I can boast of, in my birth, is, that "I was born in Old England; the country "whence came the men who explored "and settled North America; the country "of Penn, and of all those, to whom this "country is indebted. With respect to "my ancestors, I shall go no further back "than my grandfather, and for this plain "reason, that I never heard talk of any "prior to him. He was a day-labourer, "and I have heard my father say, that he "worked for one farmer from the day of "his marriage to that of his death, up-"wards of forty years." Now, Gentlemen, was it proper to insinuate to you, that Mr. Cobbett is a person of excessive vanity, of disgusting ostentation on the topic of his birth? He describes his father as a farmer in moderate circumstances, and himself as one who was destined to earn his bread by the sweat of his brow. And, you will observe well, Gentlemen, that he never has, in any part of his voluminous productions, ever uttered one phrase, expressive of contempt for rank, dignity, or birth; but has, on the contrary, always been the champion of the privileged orders, and, of course, the strenuous opposer of every democratical institution.—I beg leave to trouble you, Gentlemen, with one more quotation. "People," says Mr. Cobbett, "may say what they please about the "misery of the French peasantry, under "the old form of government; I have con "versed with thousands of those peasants, "not one of whom did not regret the "change. I have not room here to go into "an inquiry into the causes that have led "these people to become the passive in-"struments, the slaves, of a set of tyrants, "such as the world never saw before; but, I "venture to predict, that sooner or later, they "will return to that form of government, "under which they were happy, and under "which only they ever can be so again." I have read this passage, Gentlemen, in order to satisfy you, that Mr. Cobbett is not only the friend of good government in this, but in every other country. Mr. Cobbett is no party writer, but he writes purely from a spirit and principle of his own. And if those whom he supports should think proper to take leave of their principles, they would soon find Mr. Cobbett take leave of them. You have before you a person writing on public affairs, without any controul. Mr. Cobbett, Gentlemen, has no controul of purse hanging over him. Whoever may have been the author of the libel in question, Mr. Cobbett in publishing it has not suffered his general character to be injured by it. It is impossible to impute to Mr. Cobbett any deviation from those principles upon which he has uniformly acted.—Now, Gentlemen, let us examine a little the publication before us. It consists of a series of letters written on the subject of the insurrection in Ireland of the 23d of July last. The writer avows his object to be "the support of good government in Ireland, and the removal of the present administration." Now, Gentlemen, I humbly submit to you, that this is a fair and legitimate object. I have further to submit to you, that this is not a question of judicial malversation. In those parts of the libel which relate to my Lord Redesdale, there is no ground whatever for drawing that innuendo. You will see that there are two judicial characters introduced, my Lord Redesdale and Mr. Justice Osborne. Throughout the whole publication you will not find any matter stated relating to the distribution of justice. The libel on Mr. Justice Osborne relates entirely to his political and not his judicial character. The whole applies to Mr. Justice Osborne as addressing a Grand Jury; and it is well known that addresses to Grand Juries have frequently been made the subject of public animadversion. There is a wonderful difference between calling in question the charge of a Judge to a Grand Jury and attacking him in the seat of justice.—Gentlemen; the same observations apply generally to my Lord Redesdale.—With respect to Lord Hardwicke, it is almost unnecessary for me to tell you, that what is said of his lordship is entirely in his political character.—I shall now shortly call your attention to the different parts of the libel, but, before I do so, I am anxious to make one observation. You will perceive, that the object of this publication is a public one, that

it has for its object the finding fault with the conduct of those who are at the head of the government in Ireland, that it has for its object the removal of that government, and that it expresses an anxious desire that that government should be placed in the hands of those who are able, by their abilities and their firmness, to put a period to the rebellion. In every part of the publication, the conduct of the rebels is held up to the severest reprobation; and when you consider, that the tenor of the publication agrees with the general conduct of the defendant for twelve long years, both in this country and in America, I am sure, Gentlemen, you will pause, before you consent to attribute to him the motives with which he is charged in the information. Gentlemen; the first part of the libel is what relates to my Lord Hardwicke. It represents the head of his Excellency to be a wooden one, and intimates that he is an improper person to be at the head of the Irish government. Now, Mr. Attorney General tells us, that Ireland is better provided with fleets and with armies, than it ever was at any former period. It may be true, that Ireland has a larger army and more numerous fleets than at any former period, but I submit to you, that it is perfectly fair, in a free country like this, to descant on the fitness or unfitness of public men for the situations they hold. It merely says, "you have supplied us with fleets, you have supplied us with armies, but you have not supplied us with a proper person at the head of the government." If we look round to public characters, we shall find that there has been no minister, or member of Parliament who has not, at times, been the object of public animadversion. But in these cases you are bound to prove the bad disposition with which the libel was written, you are bound to prove the *malus animus* of it. And if we read on, we shall find, in the second extract, that, so far from its deserving to be codsidered in the light which Mr Attorney General has stated to you, there cannot be a higher description of any man, than the one here given to my Lord Hardwicke. The writer says, "Inquiry and research are "the duty and the resource of the ig-"norant, and therefore I did inquire. The "result of no small attention bestowed in "this pursuit was, that I discovered of our "viceroy, that he was in rank an earl, in "manners a gentleman, in morals a good "father and a kind husband." Here then, Lord Hardwicke is held up as having all those good qualities which every one who has the happiness of being acquainted with his lordship are ready to allow him. He goes on to state, "that he had a good library "in St. James's Square, and that he "further learned from a Mr. Lindsay, "that my Lord Hardwicke was cele-"brated for understanding the modern me-"thod of fattening a sheep as well as "any man in Cambridgeshire." I submit to you, Gentlemen, that if Lord Hardwicke is merely held up as a feeder of sheep, in addition to all those private virtues, it is impossible for you to say, that the object of this publication is to destroy the government of Ireland. No, gentlemen; it was written with the impression, that Ireland possessing those numerous fleets and those immense armies, ought also to have a person of great political character at the head of her government; and that, as my Lord Hardwicke was not a political character in his own country, he was, therefore, not a proper person to be sent over to Ireland. It means, that you ought to have sent over a man of a political mind, one who, by the powers of that mind, was capable of giving efficacy to all the operations of government. Gentlemen, is not this the plain intent and meaning of the passage? I, therefore, humbly submit to you, that, taken by itself, it can never be supposed to be a libel to the conviction of Mr. Cobbett.—The next passage begins thus: "Suppose that, by some unfortunate com-"bination of events, this little Island "should be deeply shaken by insurrection "within, and should be loudly menaced by "invasion from without. Suppose a power-"ful fleet of the enemies of the British "name lay to windward, filled with troops "for landing, while a desparate band of ruf-"fians were secretly arming in its bosom, "ready to aid the landing of a foreign "enemy."—Now, Gentlemen, I do conjure you to consider attentively this part of the subject. The writer is supposing Ireland to be deeply shaken by insurrection within and loudly menaced by invasion from without. He then holds them out as a desperate band of ruffians; so that when he contemplates the rebels, he brands them with the epithet of ruffians. The writer then goes on to say: "Suppose in this distress, a committee "of West-India proprietors, whose money "had been vested in this little island, should "apply to Doctor Addington for assistance: "and suppose he were to rise up, and to de-"sire them to quit their apprehensions, for "that he had entrusted the care of their "island to a very eminent sheep feeder "from Cambridgeshire, who was to be "assisted in all his councils by a very able "and strong built chancery pleader from "Lincoln's Inn." Now, gentlemen, this

certainly is a ridicule, and ridicule, I contend is a weapon which may be fairly and honourably employed, especially when it is in the true spirit of English humour, and for an object purely of a public nature. The bestowing of nick-names is a practice to which Englishmen are peculiarly addicted. We have all heard of Carlo Khan with the India-House on his back, and of the Colossus of the North represented with one foot on Berwick Bridge and the other on the Orkneys. In the present instance, Lord Hardwicke is again represented as a person devoted to agricultural pursuits—

Lord ELLENBOROUGH. Do you maintain that a person has a right to ridicule his neighbour?

Mr. ADAM. This is an information for a public libel, and not for private ridicule.

Lord ELLENBOROUGH. I suppose you have some authority. I do not wish to restrain your arguments, but it is a doctrine which never was and never can be maintained.

Mr. ADAM after going at length into the various passages commented upon by the Attorney General, and contending that they merely contained ridicule, and were written with the fair view of procuring the removal of what the author considered the inefficient servants of the crown, concluded his speech in the following words: Gentlemen; I have now gone through the several parts of the publication. I know that in your justice and your wisdom you will deal uprightly with my client. In the course of my address to you, I took occasion to allude to the evidence which I should call in behalf of the defendant. I know that evidence can only be received as to general character. But, I trust, in the present case, it will be admissible, in order to rebut the charge of endeavouring to overthrow the government of Ireland. Gentlemen; I shall prove to you by Lord Henry Stewart, who was acquainted with Mr. Cobbett in America, and by several gentlemen of the first respectability who have known him ever since his return to this country, that the whole tenor of his life has been an adherence to the principles of good government, and to the English cause. Now, Gentlemen, of what is Mr. Cobbett accused? Of sending a libel into the world, calculated to overturn the government of Ireland as by law established; and, consequently, the species of evidence I am about to produce, must have a considerable effect; in as much as it will shew, that the defendant is incapable of the crime attributed to him. Gentlemen; I leave the cause in your hands, confident that the verdict of an upright Jury of independent Englishmen, will acquit the defendant of the criminality imputed to him, and relieve him and his family from the distress which at present hangs over them.

WITNESSES ON THE PART OF THE DEFENDANT.

MR. LISTON *examined by Mr. Richardson.*

Q. I believe, Sir, you held the situation of British minister in America? A. I did; from the year 1796 to 1800.

Q. Were you personally acquainted with Mr. Cobbett the defendant? A. I was.

Q. Were you acquainted with his general character and conduct? A. I was.

Q. From your knowledge on that subject, what was his general character and conduct? A. Eminently excellent.

Q. What was his general character as to loyalty and attachment to the constitution? A. That of a zealous defender of the principles of the constitution in all its branches.

Cross examined by the Attorney General.

Q. Is Mr. Cobbett one of the last men you know who would publish a libel against the government under which he lived? A. Do you mean with regard to America?

Q. You think, then, that he might be induced to publish a libel against any other government than his own? A. I cannot answer for that.

Q. Is he not a man likely to libel a government he was not living under? A. He might be induced to do it. Mr. Cobbett is a gentleman possessing an ardent mind, and he might be induced to libel a government under which he was not living—always excepting his own.

Lord HENRY STEWART *examined by Mr. Richardson.*

Q. I believe your lordship resided with Mr. Liston whilst he was British minister in America? A. I did.

Q. Were you acquainted with Mr. Cobbett there? A. I knew him well.

Q. Will your lordship have the goodness to state what you know of him? A. He is a man the most devotedly attached to the King, the Royal Family, and to every branch of the Constitution.

The Right Honourable WILLIAM WINDHAM *examined by Mr. Richardson.*

Q. How long have you been acquainted with the defendant, Mr. Cobbett? A. Ever since his return to this country, which was, I believe, in 1800.

Q. During that time, what has been your opinion of him with respect to his loyalty and attachment to the constitution? A. I can speak of him much to the same effect

as the last witness. I should consider him as a person of an attachment quite devoted to the King and Constitution of this country.

Lord MINTO *examined by Mr. Adam.*

Q. You have been acquainted, my lord, with the defendant? A. Ever since my return to this country in 1801.

Q. Will your lordship state what you know of him? A. I am perfectly satisfied, with the former witnesses, that he is decidedly attached both to the Sovereign and the Constitution of this country.

The Right Honourable CHARLES YORKE *examined by Mr. Richardson.*

Q. Have you been long acquainted with Mr. Cobbett? A. Ever since June 1802.

Q. Are you generally acquainted with his character and conduct? A. I know some particular instances of his conduct, which induce me to think that he is a zealous supporter of the Monarchy and the Constitution.

Q. Have any recent instances occurred to support your opinion? A. The particular instances I allude to, took place previous to July last.

JOHN REEVES, *Esq. examined by Mr. Richardson.*

Q. Are you acquainted with the defendant, Mr. Cobbett? A. I am.

Q. Have you any particular reasons to be acquainted with his character? A. I have. I see Mr. Cobbett very frequently. Generally two or three times a week. I conceive him to be a strong defender of the King and Constitution, as by law established.

The evidence being closed on the part of the defendant,

The ATTORNEY-GENERAL rose in reply, and addressed the Court to the following effect.—I hope, gentlemen, it will not be necessary for me to lengthen out the attention which you have already given to this important subject. I trust, however, I shall be permitted to say a few words in reply to some parts of the speech of my learned friend. No small portion of that speech was taken up with a description of Mr Cobbett's general character. I have no business here with his general character or past life. I have no business to inquire whether, when living in America, he was a strenuous supporter of the interests of Great Britain. There is not one word of this information that charges him with a contrary line of conduct. The question is, whether this "ardent minded man," as Mr. Liston described him, has not been induced to publish an abominable libel against the government of Ireland? Not a tittle of evidence has been brought by those respectable gentlemen who appeared to his character, to prove the contrary, and, notwithstanding his having formerly acted upon different principles, I am entitled to say, that if he wilfully and knowingly published the letters in question, he is as gross a libeller as ever came into a court of justice. I stated distinctly, that I was no enemy whatever to a fair discussion of public men and public measures. And if the character of the different governments of this country be considered, I am persuaded it will be found, that the principle of liberality has been extended full as much as at any former period. In saying this, I take no merit whatever to myself. In doing so I was persuaded I was following that line of conduct which was useful both to the government and the people. But, is it to be argued from this, because much has been tolerated, that therefore, a doctrine so monstrous as that which my learned friend has laid down should be acted upon; namely, that no attack upon government ought to be made the subject of criminal animadversion. I say, this is a monstrous proposition; and if it is once supported by the authority of a British jury and British lawyers, it will lead to the absolute destruction of the liberty of the press.—Gentlemen, I certainly admit that this free discussion of public measures should be open and uncontroled, and not subject to the taste of any Attorney-General; but I submit to your consideration, whether these passages of ridicule in the publication in question are libellous or not? The mere circumstance of making any man ridiculous is a decided libel; and is it to be contended, that, because a man is exalted to a public situation, he is, therefore, to be libelled with impunity? If, as I said before, this libel consisted in calling Mr. Addington "Doctor Addington," my Lord Hardwicke "a sheep feeder," or my Lord Redesdale "a chancery pleader," I never should have thought of troubling you on such an occasion. But, when I see the whole administration of a country attacked, individually and personally, and their characters held up to the detestation of the public, I cannot help concluding, that there is an intention to do mischief to the government of that country, as well as to the lives of all those who live under that government. With respect to Mr. Justice Osborne, will any one pretend to say, that it was merely in his political character that he was attacked? What does he mean when he says, "I may, I believe, add, what men also say; that if it

" were possible the ermined robe of the " most awful attribute of his Majesty, " should have been wrapped round the acts " of Mr. Marsden, in order to screen them " from public disgrace, we might then look " for another, but not less fatal end to our " liberties, and to our constitution, than " that which rebellion or invasion could " produce." Is not this a dreadful charge indeed? The following passage is to the same effect. " Whatever the present go- " vernment may have manifested, the opi- " nion of that government is known to be " influenced by motives very different from " general justice." Is not this a direct charge, that the present government of Ireland were influenced by motives very different from those of general justice?—With respect to the comparison of the " wooden horse," and the flippancy of " the sheep-feeder from Cambridgeshire," no man alive can say that a character placed in such an exalted situation by his Sovereign, ought to be made the sport of ridicule of this sort. We are told, that Mr. Cobbett is very fond of the monarchy; that is to say, he would strip the monarchy of all its officers. This is the way in which this " ardent minded man," this " moral politician" would support the government!—But, gentlemen, you must not stop here; for the author has not stopped here. He says, that " Lord Ken- " yon, therefore, as Chancellor, never would " have made any rule or order by the ef- " fects of which, the secretary of the Mas- " ter of the Rolls would be deprived of all " fees, for the purpose of throwing all those " fees into the hands of the secretary to the " Chancellor, the better to enable that se- " cretary to discharge the pension of some " unknown annuitant on his official profits." Meaning thereby, that Lord Redesdale, as Chancellor, has done all this.—My learned friend has passed over the last part of the libel, which insinuates, that Lord Redesdale has " employed his leisure in searching into offices for practices, by which he might harass the domestic arrangements of others, whose pride and integrity would not bend to his views." And how does my learned friend leave this? Why, he says, that you do not know exactly what it means. I suppose, then, that the "*spargere voces in vulgum ambiguas*" are all gone by. But, notwithstanding what my learned friend tells you, I will venture to say, that it is impossible to ascribe to this passage any good meaning, and I trust that you, gentlemen, will have the same sense of its atrocity as I have. What! because Mr. Cobbett has been twelve years before the public without a prosecution; because he has manifested in America and elsewhere a spirit of loyalty, is he to have a complete indemnity for the publication of such gross libels as those before you?—Gentlemen, I shall not trouble you with any further observations. The merits of the case are now before you. If my lord tells you it is a libel, you may still judge of the facts. If you think conscientiously that it is not a libel, if you think that this is the way that governments are to be treated, you will, of course, acquit the defendant.

Lord ELLENBOROUGH.—Gentlemen of the Jury. The evidence on both sides, and the arguments of the counsel being now closed, it remains for us to discharge the respective duties which the laws of the country have cast upon us. I never doubted that an English Jury had the right of judging in these cases, not only of the fact of publication, but also of the nature and construction of the thing published. And the noble person, whose place I so unworthily fill, entertained the same sentiments. The Act of Parliament which has been alluded to, is merely declaratory, and, had it not passed, I should nevertheless have submitted the whole case to your consideration. On the three following points you have to exercise your judgment: first, the preliminary allegations and inuendoes; next, as to the fact of publication; and, thirdly, the quality and sense of the thing published. This is the matter at issue. Upon the subject of libel, it may be as well for me to observe, before I enter upon the question, that, by the law of England, there is no impunity to any person publishing any thing that is injurious to the feelings and happiness of an individual, or prejudicial to the general interests of the state. Gentlemen, the law of England is a law of liberty, and, consistently with this liberty, we have not what is called an imprimatur; there is no such preliminary license necessary. But, if a man publish a paper, he is exposed to the penal consequences, as he is in every other act, if it be illegal; and it is illegal, if it tends to the prejudice of any individual. Now, therefore, applying this doctrine to the publication before us, the question for your consideration is, whether this paper is such as would be injurious to the individuals, and whether it is calculated to be injurious to the particular interests of the country? It is no new doctrine, that if a publication be calculated to alienate the affections of the people, by bringing the government into disesteem, whether the expedient be by ridicule or obloquy, the person so conducting

himself is exposed to the inflictions of the law. It is a crime. It has ever been considered as a crime; whether it be wrapped up in one form or in another. The case of the King *v.* Tutchin, decided in the time of Lord Chief Justice Holt, has removed all ambiguity from this question; and, although at the period when that case was decided, great political contentions existed, the matter was not again brought before the Judges of the Court by any applications for a new trial.—Having said thus much on the general law of libels, let us apply it to the case before us. It has been proved to you, that Mr. Cobbett is the sole proprietor of the publication; that Lord Hardwicke and the other characters mentioned hold the several offices in Ireland attributed to them; and that the publication was sold by Richard Bagshaw, in Bow-street, Covent Garden, both on the days of publication, and also so late down as Tuesday last. The reason of purchasing this second copy on Tuesday last, is to show you, that Mr. Cobbett persevered in the sale of the libels to the very last. Mr. Crowe has proved to you, that by the "Cambridgeshire earl" was meant LordHardwicke, and that the appellation of "Chancery Pleader" was intended to designate Lord Redesdale.—Gentlemen, the several innendoes in the papers being thus proved, let us a little consider their quality and context. The first paper begins thus: "*Equo ne credite Teucri*, was the advice which, in a "dangerous moment, Laocoon gave to the "Trojans. It will be remembered that the "*equus* against which that sagacious adviser "cautioned his countrymen, was a wooden "one. His countrymen did not regard "Laocoon; they received the *wooden* re"presentative of wisdom; they approached "it as if it possessed authority and power. "Its *wooden* head towered above their "houses But though the machine itself "was of innoxious wood, the credulous Tro"jans found its hollow head and exalted "sides, nothing less than receptacles for "greedy peculators and blood-thirsty as"sassins. The ingenious author of the story "did not mean to confine the lesson, which "it inculcates, to the tale of Troy alone; he "meant to take advantage of the easy me"taphorical expression, which, by the com"mon assent of mankind, had moulded it"self into most languages, and by which a "certain species of heads (which the mo"derns have ascertained to be a non con"ductor of ideas) has been denominated a "*wooden* head. He meant to caution fu"ture nations, not to put trust or confi"dence in the apparent innocence of any "such wooden instrument; and not to suf"fer themselves to be led to exalt it into "consequence, or to pay it any respect." Can there be any other meaning by this, than to impress the people of Ireland with a contemptible opinion of the abilities of Lord Harwicke? And, gentlemen, if that is the meaning and intention of the publication, it is a libel; for no man has a right to render the person or abilities of another ridiculous. Not only in publications, but if the peace and welfare of individuals, or of society, be interrupted, or even exposed, by types and figures, the act, by the law of England, is a libel. Then he goes on to say, "that any people who submitted to be "governed by a wooden head, would not "find their security in its supposed innoxi"ousness, as its hollowness would soon be "occupied by instruments of mischief." Submitted! Is not this instigating the people of Ireland to rebellion? For, in what way, but by acts of open violence can they avoid "submitting" to the government which is set over them?—Then he goes on: "When I found, Sir, this portion of the "kingdom overwhelmed by such conse"quences to our property, as the rapacity of "Mr. Marsden, and his friends, and such "consequences to our lives, as the pikes of "Mr. Emmett, and his friends, have lately "produced; when I could trace all these "evils as the inevitable issue from the head "and body of such a government as that of "Lord Hardwicke, and I am told of his *in*"*noxiousness* and his *firmness*, I still reply the "story of the *wooden* horse, and I shall still, "notwithstanding the fate of Laocoon, raise "my voice to my countrymen, and cry, "*Equo ne credite Teucri.* Not, Sir, that I "would be understood literally. I do not "mean to assert the head of my Lord Hard"wicke is absolutely built of timber. My "application, like that of the original au"thor of the tale, is only metaphorical. "Yet, at the same time, I cannot avoid "suspecting, that if the head of his Excel"lency were submitted to the analysis of "any such investigator of nature as La"voisier, it would be found to contain a "superabundant portion of particles of a "very ligneous tendency. This, Sir, is the "Lord Hardwicke of Doctor Addington, "against whose government 'not a mur"mur of complaint has been heard'—While "our property has been subject to the plun"der of his clerks, and our persons have "been exposed to the pikes of the rebels." Now, the libels in this sentence are these: first, it is stated, of Mr. Marsden, that he is a rapacious man; then the author goes on

to say, that he could trace all the evils which the pikes of Mr. Emmett and his friends have lately produced, as the inevitable issue from the head and body of such a government as that of Lord Hardwicke. He admits this noble person to be celebrated for understanding the modern method of fattening a sheep as well as any man in Cam- " bridgeshire." Now, gentlemen, what does this mean? Does it not clearly mean to infer, that Lord Hardwicke is ill-placed in his high situation, and that he is only fit for the common walks of life?—Their is another part of the libel to which I wish to draw your attention. The author says, " What! " Is he one of the tribe of the Hobarts, " Westmorelands, and Camdens? Is he one " of that tribe, who have been sent over to " *us* to be trained up here into politicians, " as they train the surgeon's apprentices in " the hospitals, by setting them first to bleed " the pauper patients? Is this the time for " a continuation of such experiments?" What does the whole of this mean? Is it not saying, that Lord Hardwicke was sent over by his Majesty to the people of Ireland, merely to be trained up into a politician, as they train surgeon's apprentices in the hospitals, by setting them first to bleed the pauper patients? It is for you to say, whether this is not the obvious sense of this sentence.—There is one other part of the publication to which I am desirous of drawing your attention. It relates to the imputation on Lord Redesdale. It says, that " the " opinion of the present government is " known to be influenced by motives very " different from general justice." Amongst so many passages of this description, it is hardly necessary to call your attention to particular instances; one or two more I shall, however, briefly mention. " With " what amazement," says he, " the grand " jury must have received such a broadside, " poured upon the truth of the fact, I can- " not, as I was not present, know; but I " can very well imagine what the feelings " of 23 well-informed gentlemen must have " been." Is it to be endured, that it should be said of any person, but, more especially of a person sitting in the capacity of a judge, that he had poured a broadside upon the truth of the fact? Then it goes on; " in " truth, they say, that, except as to momen- " tary effects, rebellion and invasion might " be viewed with indifference, if it can be " supposed, that the stained hands of a petty " clerk had been washed in the very foun- " tain of justice." Is not this saying, that rebellion and invasion may be viewed with indifference? And is not the whole of the sentence connected with what was said before?—It then says, " It was said of Lord " Kenyon, that he loved money, if so, he " loved his own money only, and not the " money of any other man." Which is saying, as was observed to you before, that Lord Redesdale is fond of the money of other men.—The last passage I shall call to your attention is this; " Lord Kenyon, there- " fore, as Chancellor, never would have " made any rule or order, by the effects of " which, the secretary of a Master of the " Rolls would be deprived of all fees, for " the purpose of throwing all those fees in- " to the hands of the secretary to the chan- " cellor, the better to enable that secretary " to discharge the pension of some unknown " annuitant on his official profits." Contrasting Lord Kenyon with Lord Redesdale, this passage clearly imports, that Lord Redesdale, as Chancellor, did make a rule or order, by the effects of which, the secretary to the Master of the Rolls was deprived of all his fees, for the purpose of throwing those fees into the hands of the secretary to the chancellor, the better to enable that secretary to discharge the pension of some unknown annuitant on his official profits.—Gentlemen, such is the evidence of the publication before you. It is to speak for itself in its plain sense. The question for you to consider, if it can be a question, is, whether these libels (when I call them libels I am anticipating your decision) are capable of any other construction than what has been put upon them? It has been stated of the defendant, that he is a self-taught politician. Gentlemen, no man can write without control. It is necessary he should know, that every man must be controled by law. It has been observed, that it is the right of the British subject, to exhibit the folly or imbecillity of the members of the government. But, gentlemen, we must confine ourselves within limits. If, in so doing, individual feelings are violated, there the line of interdiction begins, and the offence becomes the subject of penal visitation. Evidence to character has been produced on the part of the defendant. But the effect of character is to render the charge doubtful. As to the fact of publication, in the present case there can be no doubt whatever. If you are of opinion that the publications are hurtful to the individuals or to the government, you will find the defendant guilty; if, on the contrary, you consider them neither destructive of the peace of the one or the other, you will acquit him of the charges under this information.

The Jury, after a pause of about ten minutes delivered their verdict—*Guilty*.

*** The next No. of the Register will contain a co rect Report of the Trial in the Action brought by Mr. Plunkett against Mr. Cobbett, the issue of which was decided in favor of the former, in the Court of King's Bench, on Saturday the 26th ult.

LOYALTY OF IRISH CATHOLICS.

SIR,—— I proceed to examine the charges of your correspondent C. R. on the loyalty of the Irish Catholics; but in performing this part of my task, I am filled with sensations, which I think, I never experienced before. That a man, apparently not destitute of literature, should sit deliberately at his desk, in order to collect the various misrepresentations and calumnies which have been invented to asperse a large body of his fellow subjects, that he should deface the fair page of history, and misconstrue the most innocent opinions for the same ignoble purpose, is a circumstance, in the annals of learning, which in some instances must excite pity, but in most, surprise and indignation. How far this accusation, with respect to your correspondent, is founded, the readers of my last, and of this letter, must determine.—In order that you may clearly see the groundless nature of the accusation, which your correspondent brings against Burke, the Catholic Bishop of Ossory, I will subjoin to his account of that prelate's observations referred to, the original text with a correct translation of the passage. Your correspondent asserts, that in the year 1757 an act passed the Irish Parliament to secure the Protestant succession, containing an oath of allegiance, and that Burke the Popish Bishop of Ossory made on it the following observations: "Would it not exceed the "greatest absurdity imaginable, that a Catholic Priest, who instructs his Catholic "people in the will of God, from scripture "and tradition, by his discourse and actions, "and nourisheth them with the sacrements "of the Church, should swear fidelity to "King George, as long as he professeth an "heterodox religion, or has a wife of that "religion? Since then, and in that case the "same Catholic priest ought instantly to "abjure the very king to whom he had be"fore sworn allegiance, &c." (See Register Vol. V. No. 18, p. 660). Such is the representation of C. R. how far it is remote from the truth, the original text will clearly demonstrate. "*Nonne plus quam absurdum* "*foret, quod sacerdos Catholicus, Catholico* "*populo verbum Dei scriptum et traditum,* "*ore et opere, prædicans eundemque sa-*"*cramentis ecclesiæ pascens, juret fidelitatem* "*regi Georgio, quamdiu cultor est religionis* "*heterodoxæ, quamdiu uxorem non habet or-*"*thodoxam; si vero fidem amplectatur or-*"*thodoxam (ut anno superiori ipsius fecit* "*gener, Fredericus nempe princeps Hessiæ) aut* "*uxorem ducat orthodoxam prout reges Caro-*"*lus primus et Carolus secundus fecere, eo* "*ipso sacerdos iste Catholicus abjurare debet* "*regem, cui fidelitatem ante juravit*" (Hibernia Dominicana page 721 et seq. 4 Edit. Colon. Ann. 1762.) Would it not exceed the bounds of absurdity, that a Catholic priest, who preaches to his Catholic people by word and work, the written word of God and tradition, and nourishes them with the sacraments of the Church, should swear fidelity to King George, as long as he professes an heterodox religion, or has not a wife of the orthodox faith, *but that if he should embrace the orthodox faith, (as his son in-law Frederic Prince of Hesse did in a former year) or should marry a wife of the orthodox religion as Charles the 1st. and Charles the 2d. did, then in that case, the same Catholic priest ought to abjure the King, to whom he has before sworn allegiance.* It is thus apparent, that your correspondent represents the bishop enforcing the necessity of renouncing all allegiance to a heterodox king, when the reasoning of that much injured man evidently shews, that his difficulty did not consist in swearing fidelity to a Protestant Sovereign, but in the supposed obligation of consenting to the deposition of such a sovereign, whenever he should either embrace the Catholic faith, or marry a Catholic consort. The passage which I have produced from the Latin original, consists of one long sentence, which your correspondent has mutilated by leaving out two important clauses, and thus has given it a turn widely different from the meaning of the author. After this, Sir, I appeal to any dispassionate man of real knowledge, whether, in the whole compass of polemical discussion, there ever appeared a more dishonourable instance of misrepresentation. In the name of honesty and truth, let us no more witness such base attempts to calumiate and injure the Catholic cause.——As to the declaration attributed to the pope's legate, let me tell your correspondent, however painful it may be to my feelings, that it is false; that the legate in question ever avowed the doctrine that no faith is to be kept with heretics, and that princes deprived by the pope, may be deposed and murdered by their subjects, that he never ascribed such doctrine to Catholic nations, much less did he represent it to be sanctioned by the practice of the Holy See.—

As to the theory and practice of the deposing power, which, like many other extraordinary and romantic opinions was once fashionable in the world, but which is now universally exploded, I explained in my last letter, the nature of it with such care and attention, as will render any further discussion on the subject wholly unnecessary.——The joy which the celebrated deed of St. Bartholemew's day, produced at Rome, is referred to by your correspondent as a proof of the general practice of the Holy See respecting the treatment of heretics. But I have to inform him, that though the fact is undeniable, it by no means justifies the conclusion which he has thought proper to draw. The doctrine and practice of the Catholic church do not depend on the solitary conduct of any man, however he may be distinguished by talents, celebrity, or rank. Even the personal conduct of a pope can no more be produced as an instance of the practice of the Catholic religion, than the extravagant acts of a king can be referred to as a precedent of law and constitution. Let him therefore cease to produce the behaviour of Gregory XIII. on this tragical occasion as a proof of the practice of the Holy See If he wishes, however, to obtain some elucidation relative to this extraordinary occurrence, which no Catholic will attempt to justify, let him know that the pontiff first received his information of the massacre from the French ambassador in Rome, who represented the whole transaction in the most plausible and artful colours. The pope was informed that a desperate conspiracy had been planned by the calvinistic party, to exterminate the royal family of France, and to establish a republic on the ruins of the throne; that the conspirators were in the act of commencing their operations, and that the fatal deed, which ensued, was absolutely necessary as a measure of self defence. Your correspondent, after this explanation, will probably have the candour not to consider the extravagant joy which this artful representation of that infamous and inhuman deed gave Gregory XIII. as an indication of any practice dishonourable to the Holy See. (See histoire de l'Eglise par Bérault Bercastel. tom. 19. liv. 77, pp. 290 et seq. Also Milner's Letters to a Prebendary. Letter 4. p. 130. 2d edit.)—It is with sentiments of shame and astonishment, that I am doomed to follow your correspondent through the remaining part of his letter, and to correct those palpable falsehoods, which mark almost every sentence. He gravely asserts, on the authority of Sir Richard Musgrave, that the influence of the priests during the rebellion was unbounded, that instead of employing their authority to check the people in their excesses, they gave them encouragement, particularly in the South; that of the superior clergy, the conduct of some was actually treasonable, of others very dubious, of none actively loyal; that Dr. Caulfield in particular appeared publicly in the streets, when the people fell before him on their knees, that he never attempted to stem their murderous fury, but that he appears to have aided in the conspiracy. How this gentle writer could employ in this case the authority of Sir Richard Musgrave, whose history is confessedly a tissue of misrepresentations and falsehoods, he best can explain. Certain it is that he has been betrayed by his guide into such a variety of errors as never disgraced a composition of the same length before. In describing the part which the priests bore in the rebellion, your correspondent has confounded the few of that respectable class, who in defiance of every law of heaven and earth, were engaged in that unfortunate cause, with the great body of the Catholic clergy, that preserved their allegiance unshaken. At the time of the rebellion there were in Ireland about 2000 priests; and of this number about twenty, most of whom were persons of irregular conduct, joined the rebels. (Plowden's Hist. Review, Vol. II. part 2, p. 717 and 736.) When, therefore, he speaks of the encouragement given by the priests to rebel, and of their influence in dissuading the insurgents from the use of whiskey, lest it should lead to a discovery of these secrets, your readers will carefully distinguish the loyal conduct of the great body of the clergy; from the melancholy prevarication of a comparatively small number, which did not exceed a score. The attack of your correspondent on the loyalty of the superior clergy is of the most wanton nature, and stands contradicted by the clearest evidence of facts. Has he never seen the loyal address of the Catholic nobility, gentry, and clergy of Ireland to the lord lieutenant, dated 30th May, 1798, with his excellency's answer? Has he never read the declaration and remonstrance from *all* the Catholic bishops and their leading clergy and nobility, dated May 28, and published in the London Gazette of June 1, of the same year? Is he yet unacquainted with the spirited remonstrances published by particular bishops in their own diocese; with the animated and forcible language which they employed to recall to a sense of duty, those of their flocks who were embarked in the fatal conspiracy? When he asks what ecclesiastical

censures were inflicted on those whom the lenity of the government passed by, had he never heard of the sentence of excommunication published June 22, 1798, throughout the archdiocess of Dublin, against all those who should give any direct or indirect support to the unnatural rebellion? (See all these papers reprinted by Coghlan, and sold No 37, Duke Street, Grosvenor Square.)—The man, Sir, who in describing the conduct of the Irish clergy during the rebellion, can pass over in silence these notorious facts, and produce without any shadow of proof, the most infamous charges against that worthy and excellent class of men, deserves to be exposed to the heaviest censure and reprobation of his countrymen. His accusation against Dr. Caulfield, the Catholic Bishop of Ferns, indicates if it be possible, an an additional degree of rancour and malignity. The account given by the Bishop of his own conduct, and confirmed by the most unexceptional authority, effectually destroys the infamous charges which have been brought against him, and entitles him to the thanks and benediction of his country.

(To be continued.)

Cobbett's Parliamentary Debates.

VOL. I. is now completed, and will be ready for sale, half-bound in a neat and appropriate manner, on Thursday next.—It will contain 25 Numbers, and the price half-bound will be 1l 7s 6d, The publishers are Mr. Bagshaw, Bow Street, Covent Garden, and Mr. Budd, Pall Mall.

In presenting this Volume to the public, it seems necessary to say a few words as to the plan of publication, and also as to the nature and arrangement of the conteuts, especially as there is so very great a difference between this work and every other, which, under a similar title or professing a similar purpose, has heretofore been undertaken in this country.—With regard to the first point, it is, as in the present instance, intended, always to divide the matter, arising in each Session, into two volumes, the first to comprise an account of the proceedings from the opening of the Session to the Easter Recess, and the second to comprise the proceedings from the end of that Recess to the close of the Session.—The nature and arrangement of the contents are as follows: I. Two Tables of Contents, one relating to the House of Lords, the other to the House of Commons, each forming a brief chronicle of the whole of the proceedings in the two Houses respectively; to which Tables is added another, pointiag out where the accounts and other documents are to be found, II. A complete List of the Members of the Parliament, as it stood at the opening of the Session; as also a List of His Majesty's Cabinet, and certain other Ministers, as it stood at the same time. III. The body of the work contains, in due chronological order, all the Debates, Minutes of minor Proceedings, Messages, Motions, Lists of Minorities, &c. IV. In a part of the Volume pointed out by the Table of Contents, will be found all the material Accounts, Estimates, Returns, &c. &c. laid before Parliament; together with a List of the Acts passed during the period embrased by the Volume. V. At the close of the Volume are four Indices, viz. two of the *Subjects* of the several Debates, the one for the Lords, and the other for the Commons; and two of the *Names* of the several Speakers, following, with regard to the Houses, the same order as before.—The Debates, in this work, are given at much greater length, and with much greater precision, than it was ever before attempted to give Parliamentary Debates. Neither care, labour, nor expense has been spared. Aid of every useful kind has been resorted to, and, in most instances, with perfect success. The insertion of the substance of the minor proceedings, under the denomination of *Minutes*, will be found very useful to the parliamentary reader and historian, while the selection and arrangement of the several *Accounts* and *Returns* must be of inestimable value to all those who turn their attention to subjects of finance or political economy, to military or naval affairs, or, indeed, to any subject connected with the resources of the country.—As the work has, in the short space of half a session, attained to such an extent of circulation, and such a degree of preeminence, as fully to warrant the supposition, that it is the *only* compilation at all likely to be regarded as an authentic record of the Legislative Proceedings of the present time, so the Editor confidently assures the Public, that success, however conspicuous and flattering, will produce no relaxation in his labour or his care, but, that it will, on the contrary, operate as a stimulus to the attainment of still gseater perfection.

Printed by Cox and Baylis, No. 75, Great Queen Street, and published by R. Bagshaw, Bow Street, Covent Garden, where former Numbers may be had; sold also by J. Budd, Crown and Mitre, Pall-Mall.